Idaho Greater Sage-Grouse Record of Decision and Approved Resource Management Plan Amendment

Prepared by
US Department of the Interior
Bureau of Land Management
Idaho State Office

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BLM

The Bureau of Land Management's multiple use mission is to sustain the health and productivity of the public lands for the use and enjoyment of present and future generations. The Bureau accomplishes this by managing such activities as outdoor recreation, livestock grazing, mineral development, and energy production, and by conserving natural, historical, cultural, and other resources on public lands.

ERRATA SHEET

On March 15, 2019, the Bureau of Land Management (BLM) noticed in the Federal Register (84 FR 10327) the availability of the Record of Decision (ROD) and Approved Resource Management Plan Amendment (ARMPA). The BLM has identified the need for clarification related to the BLM's protest resolution process. These modifications do not substantially change the alternatives or the analysis of effects on the human environment, therefore there is no need to supplement the National Environmental Policy Act (NEPA) analysis or issue a new ROD.

Attached you will find an errata sheet that corrects Section 1.5.1 (pages 1-10 to 1-11) of the Idaho Greater Sage-Grouse ROD/ARMPA. The new text has been highlighted on the attached errata sheet. You should replace these pages in your copies of the ROD/ARMPA with the corrected sheet.

1.5.1 Protest

The BLM's planning regulations at 43 CFR 1610.5-2 allow any person who participated in the planning process and has an interest that may be adversely affected by the BLM's planning decisions to protest proposed planning decisions within 30-days of when the notice of availability of the Proposed RMPA/Final EIS was published in the Federal Register (December 10, 2018). Pursuant to the BLM's 2016 Delegation of Authority Manual (MS-1203 Delegation of Authority, Rel. 1-1779), the BLM Assistant Director for Resources and Planning and staff at the BLM Washington Office reviewed all of the protest issues. The Assistant Director concluded that the BLM Idaho State Director had followed all applicable laws, regulations, and policies and had considered all relevant resource information and public input in developing the Proposed RMPA/Final EIS. Each protesting party has been notified in writing of the Assistant Director's findings and the disposition of their protests. The Assistant Director resolved the protests without making significant changes to the Proposed RMPA/Final EIS.

The Assistant Director's decisions on the protests, which are the final decisions of the US Department of the Interior (43 CFR 1610.5-2(b)), are summarized in the Protest Resolution Reports, which are available on the following BLM website: http://www.blm.gov/wo/st/en/prog/planning/planning_overview/protest_resolution/prot estreports.html.

The BLM received 8 timely protest submissions. Seven of the protesting parties had standing; however, two submissions were dismissed as they did not contain any valid protest points or had standing, pursuant to 43 CFR 1610.5- 2. Valid protest issues addressed in the Protest Resolution Report are as follows:

- Compliance with ESA
- Compliance with FLPMA
- Compliance with NEPA
- Compliance with other laws (e.g., 1872 Mining Law)

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Executive Summary

This Record of Decision (ROD) and Approved Resource Management Plan Amendment (Approved RMPA) supports the Bureau of Land Management (BLM) RMPs in Idaho, including Boise, Twin Falls, and Idaho Falls Districts. The Approved RMPA refines some of the decisions from the 2015 planning effort related to Greater Sage-Grouse habitat management and leaves in place the majority of the decisions from 2015. This Amendment builds on the work that was completed in 2015 to respond to the deteriorating health of the sagebrush landscapes of the American West and the declining population of the Greater Sage-Grouse (GRSG), a ground-dwelling bird that was under consideration by the U.S. Fish and Wildlife Service (FWS) for protection under the Endangered Species Act (ESA).

The BLM has amended its RMPs for GRSG habitat management in order to provide additional consistency and alignment with the State of Idaho's Greater Sage-Grouse Conservation Strategy. On March 29, 2017, the Secretary of the Interior (Secretary) issued Secretary's Order (SO) 3349, *American Energy Independence*, which ordered agencies to reexamine practices "to better balance conservation strategies and policies with the equally legitimate need of creating jobs for hard-working American families." On June 7, 2017, the Secretary issued SO 3353, with the purpose of enhancing cooperation among 11 western states and the BLM in managing and conserving GRSG. The agencies were also directed to review the 2015 GRSG plans and associated policies to identify provisions that may require modification to make the plans more consistent with the individual State plans, and to better balance the BLM's multiple use mission. On August 4, 2017, the Interior Review Team submitted its report in response to SO 3353, and recommended modifying the GRSG plans and associated policies to better align with the individual state plans and conservation strategies. This ROD adopts the Approved RMPA, which implements the recommendations from the SO 3353 report and addresses other planning issues raised during this land use plan amendment process.

Chapter 1. Record of Decision

1.1 INTRODUCTION

The Bureau of Land Management (BLM) manages Greater Sage-Grouse habitat as part of the agency's multiple use mandate. In 2015, resource management plans that guide conservation of sagebrush steppe habitat on BLM-administered public lands in 9 Western states were amended to include specific management allocations, resource objectives, and management actions for designated Greater Sage-Grouse Habitat Management Areas to help ensure conservation, enhancement, and restoration of Greater Sage-Grouse habitat. In Idaho, 21 resource management plans covering BLM-managed public lands in the state were amended to reach this objective. The BLM has used these initial resource management plans as a platform for its ongoing commitment to on-the-ground activities that promote conservation through close coordination with state, local, and private partners. Most notably, the BLM has treated an increased number of acres of sagebrush habitat in every fiscal year since 2015 in coordination with the contributions of partners, accomplishing important goals for Greater Sage-Grouse conservation and other programs and activities, including fuels, riparian, and range management. These habitat projects show that successful conservation of Greater Sage-Grouse requires a shared stewardship vision among states, private citizens, landowners and federal land management agencies. While current law and regulations put state and local agencies at the forefront of efforts to maintain healthy fish and wildlife populations and to conserve at-risk species, state-led efforts to conserve Greater Sage-Grouse and its habitat date back to the 1950s. For the past two decades, state wildlife agencies, local agencies, federal agencies and many others interested in the health of the species have been collaborating to conserve Greater Sage-Grouse and its habitat. With the publication of these Records of Decision (RODs) and Approved Resource Management Plan Amendments (ARMPAs) the BLM is concluding a planning effort focused on furthering cooperation with western states by ensuring greater consistency between individual state plans for managing the Greater Sage-Grouse as a wildlife species and the BLM's multiple-use mission for managing public land resources, including wildlife habitat. The planning process has given the BLM an opportunity to work with states and other partners to promote shared conservation, strike a regulatory balance, and build trust as we find ways to sustainably develop public land resources for multiple-use. The effort focused on ways to increase management flexibility, maintain access to public resources, promote positive conservation outcomes for Greater Sage-Grouse and incorporate new information that is considered the best available science and is rooted in on-the-ground experience.

On October 11, 2017, following direction in Secretary's Order (SO) 3353 to enhance cooperation among western states and the BLM in managing and conserving Greater Sage-Grouse, the BLM issued a Notice of Intent (NOI) to amend the 2015 Resource Management Plans (RMPs) guiding Greater Sage-Grouse habitat management, focused on bringing the plans into closer alignment with the individual states' species management plans and conservation strategies. Reflecting the commitment by the Department of the Interior (DOI), the NOI indicated that states would play a central role in the planning process, and all partners have declared their desire to avoid the need to list Greater Sage-Grouse under the Endangered Species Act (ESA). On May 4, 2018, the BLM released Draft Resource Management Plan Amendments and Environmental Impact Statements (Draft RMPA/EISs) for Idaho and six other western states which considered and analyzed the

potential impacts of a No Action Alternative and a Management Alignment Alternative. While all changes proposed in the Alignment alternatives were meant to enhance coordination with respective state plans, variations reflected the different approaches states are taking within their jurisdictions to conserve Greater Sage-Grouse and the BLM's determination that greater flexibility was needed to ensure that each state can manage the habitat within its borders for the particular needs of its landscapes and communities.

On December 7, 2018 the BLM released the Proposed Resource Management Plan Amendments and Final Environmental Impact Statements (Proposed RMPA/Final EISs) for a 30-day protest period (extended during the temporary lapse in Federal government funding), and a 60-day Governor's Consistency Review. The proposed plans built on the 2014 and 2015 revisions and amendments to the RMPs, and incorporated 3 years of on-the-ground experience conserving GRSG habitat and supporting healthy GRSG populations alongside the states.

Together, the amended plans retain the identification of priority habitat management areas (PHMA) for 29 million acres of BLM-administered sagebrush habitat across the western states. Within PHMAs, the management priority is to exclude or avoid disturbance to Greater Sage-Grouse and their habitat, and to minimize impacts to PHMAs where they cannot be avoided. Another 23 million acres across the west retain identification as general habitat management areas (GHMAs), where avoidance and minimization are applied flexibly, consistent with both local conditions and the state's science-based objectives for species management. The plans for BLM-administered lands in Idaho include protections for 4.1 million acres of PHMA and 2.7 million acres of Important Habitat Management Areas (IHMA) on BLM-managed surface and another 450,000 acres of PHMA and IHMA on BLM-administered federal mineral estate beneath non-federal surface ownership. Including habitat in Montana, North Dakota, and South Dakota, a total of approximately 32 million surface acres will be managed as priority habitat across the Greater Sage-Grouse's range, while an approximate 25 million acres are designated general habitat. The plans will also implement a shift in objectives specific to the states' needs. A monitoring schedule remains in place for BLM-managed habitat to indicate when adaptive management measures are needed to address population declines in designated habitat, and adjust those adaptive measures once the decline has stopped. The amended plans also consider and outline procedures to permit disturbance and density cap exceedances at the entire sage-grouse population level.

Finally, the amended plans formalize coordination between the BLM and respective states in applying compensatory mitigation measures to approved actions. These plans reflect the BLM's determination that the Federal Land Policy and Management Act of 1976 (FLPMA) does not explicitly mandate or authorize the BLM to require public land users to implement compensatory mitigation as a condition of obtaining authorization for the use of BLM-administered lands. The plans clarify that the BLM will consider compensatory mitigation only as a component of compliance with a state mitigation plan, program, or authority; other federal law; or when offered voluntarily by a project proponent.

The amended plans reinvigorate the DOI's commitment to collaborate with our neighbors in conserving sagebrush habitats and Greater Sage-Grouse populations. Further, the amended plans reflect the BLM's determination that greater flexibility for each state to manage Greater Sage-Grouse and sagebrush habitat will lead to improved outcomes for the species.

1.2 PLANNING AREA

The planning area includes approximately 39.5 million acres of BLM, National Park Service, U.S. Forest Service, U.S. Bureau of Reclamation, State, local, and private lands in 28 counties: Ada, Adams, Bear Lake, Bingham, Blaine, Bonneville, Butte, Camas, Caribou, Cassia, Clark, Custer, Elmore, Fremont, Gem, Gooding, Jefferson, Jerome, Lemhi, Lincoln, Madison, Minidoka, Oneida, Owyhee, Payette, Power, Twin Falls, and Washington. Within the planning area, the BLM administers 11.4 million acres of public land, providing 8.8 million acres of Greater Sage-Grouse habitat. Surface management decisions made in the Approved RMP Amendment apply only to lands administered by the BLM in the decision area.

1.3 DECISION AND RATIONALE

The Decision is hereby made to adopt the attached Idaho Greater Sage-Grouse ARMPA as written and amend the following Land Use Plans:

- Bennett Hills/Timmerman Hills MFP (BLM 1980)
- Big Desert MFP (BLM 1981)
- Big Lost MFP (BLM 1983)
- Bruneau MFP (BLM 1983)
- Cascade RMP (BLM 1988)
- Cassia RMP (BLM 1985)
- Challis RMP (BLM 1999)
- Craters of the Moon National Monument RMP (BLM 2006)
- Jarbidge (2015)
- Jarbidge RMP (BLM 1987)
- Kuna MFP (BLM 1983)
- Lemhi RMP (BLM 1987)
- Little Lost-Birch Creek MFP (BLM 1981)
- Magic MFP (BLM 1975)
- Medicine Lodge RMP (BLM 1985)
- Monument RMP (BLM 1985)
- Owyhee RMP (BLM 1999)

- Pocatello RMP (BLM 2012)
- Snake River Birds of Prey National Conservation Area RMP (BLM 2008)
- Sun Valley MFP (BLM 1981)
- Twin Falls MFP (BLM 1982)

This plan amendment decision does not amend or otherwise change any Montana BLM Land Use Plans (LUPs). This plan amendment retains the vast majority of the allocations, objectives, and management decisions in the above mentioned plans, including most of the sage-grouse related changes made in 2015. All of the allocation decisions made in the 2015 amendment remain in effect. Targeted changes were made in response to specific issues raised by the Idaho Governor's Office to bring the Idaho land use plans more in line with the State of Idaho Sage-grouse Management Plan.

This ARMPA builds on the measures identified and incorporated into the 2015 RMP Amendments to: 1) conserve, enhance, and restore Greater Sage-Grouse habitat by addressing threats to Greater Sage-Grouse and its habitat and 2) provide for consistent management of Greater Sage-Grouse between the BLM and the State of Idaho. The 2015 RMP Amendments provided a comprehensive, coordinated, and effective conservation strategy for addressing the threats to Greater Sage-Grouse. This ARMPA was selected because it best: 1) aligns BLM sage grouse management plans with the State of Idaho's Plan to allow consistent management across a wide range of lands; 2) improves the management and coordination between the BLM and the State of Idaho for Greater Sage-Grouse; and 3) implements SO 3353 as intended by the Secretary of the Interior for sage grouse management. Below is a summary of the amended decisions by category. See the attached ARMPA for the complete amendment.

Habitat Management Area: This plan amendment provides greater flexibility to modify habitat management area boundaries based on new data through collaborative process with interagency partners. Approximately 50,000 acres of PHMA was reclassified as IHMA to provide the necessary lek routes in IHMA for calculating population triggers. While IHMA is not as protective as PHMA, this change will still protect Greater Sage-Grouse because in this Conservation Area, the IHMA is managed as PHMA because a habitat trigger has been tripped as a result of habitat loss from the Soda Fire.

Sagebrush Focal Areas: The sagebrush focal area (SFA) designation and associated management direction was removed to eliminate redundancy. In the 2015 ARMPA, the SFA designation overlaid the PHMA designation and was determined to be unnecessary as a protective measure since the PHMA designation serves to protect Greater Sage-Grouse habitat and populations from the threats experienced in Idaho. A proposed SFA mineral withdrawal was canceled with a Notice of Cancellation published in the Federal Register on October 11, 2017. Both SFA and PHMA are managed as "no surface occupancy" for fluid Mineral leasing, the only difference is that PHMA allows for a limited exception. The exceptions must meet a stringent series of criteria to be approved as described in MD MR 3. Finally, both SFA and PHMA are the top two priorities for vegetative treatments, permit renewals, monitoring, and compliance checks. The removal of SFA designations will have no measurable effect on the conservation of Greater Sage-Grouse in Idaho

because the Management Direction proposed for PHMA would remain in place and continue to protect Greater Sage-Grouse habitat. SFA removal will add flexibility for responsible development with stringent requirements including mitigation to achieve a no net loss goal and objective to Greater Sage-Grouse habitat in PHMA.

Disturbance and Density Caps: The project scale disturbance cap and the project scale density cap were removed to allow projects to be clustered within existing disturbance areas. It was determined that it would be better to allow additional impacts to already disturbed areas over allowing disturbance in new portions of the conservation area.

Lek Buffers and Required Design Features (RDF): This decision retains the existing buffers in PHMA. Buffers are largest in PHMA, they were reduced in IHMA, and they are the smallest in GHMA. This change was made to align with the Governor's three-tier habitat approach where there are the most protections in the best habitat (i.e., PHMA) and there are fewer protections (smaller buffers) in the lesser quality habitats. RDFs in GHMA will be applied as Best Management Practices (BMPs). This decision also reorganized and streamlined the RDFs for easier application when designing implementation projects.

Habitat Objectives Table: This decision clarifies the intent of the Desired Conditions Table 2-2. It also modified the grass height objective from "7 inches" to "adequate nesting cover" based on best science. This change reflects that adequate nesting cover may change to be more or less than the standard 7 inches over time as science advances.

Livestock Grazing: Livestock grazing management direction was revised to incorporate key components of the Governor's sage grouse plan into BLM Management Direction (MD). This included 1) removing the threshold and response requirement during livestock permit renewal and 2) reiterating that grazing is guided by the C.F.R. 4100 Regulations. The BLM will continue to apply its Idaho Rangeland Health Standards in livestock permit renewals. If the BLM determines that Idaho Rangeland Health Standards are not being met, and if grazing is determined to be a causal factor and impacting Greater Sage Grouse or its habitat, then the BLM will take appropriate action.

Mitigation and Adaptive Management Strategies: The BLM rewrote the mitigation strategy to align with the State of Idaho's mitigation strategy. The "no net loss" mitigation standard is considered an overarching goal and objective in the approved plan. The soft population adaptive management trigger was changed to allow for early detection of population declines. Increasing the ability to make early-informed management changes and avert a hard trigger response.

Appendices: This decision updated maps in **Appendix A**, modified buffer distances in **Appendix B**, reorganized and clarified RDFs in **Appendix C**, removed portions of **Appendix E** to align with the removal of the project scale disturbance and density caps; adjusted **Appendix F** to align with the new mitigation goal and objective, and added **Appendix K,** to detail collaborative implementation efforts in Idaho.

1.4 ALTERNATIVES

1.4.1 Alternatives considered but Eliminated from Detailed Analysis

Additional Constraints on Land Uses and Development Activities

During scoping, some commenters asked for increased or additional constraints on land uses and development activities that result in ground disturbance to protect Greater Sage-Grouse habitat, above what is in the current management plan and including increased constraints on development. This alternative did not meet the purpose and need for the amendment because increasing constraints on land uses and development activities would not align with the purpose of this plan amendment to continue conserving, enhancing, and restoring Greater Sage-Grouse habitat while improving coordination with Idaho state management strategies for Greater Sage-Grouse.

1.4.2 Alternatives Evaluated in detail in the EIS[1]

No Action Alternative

Under the No Action alternative, the BLM would not amend the current RMPs. Greater Sage-grouse habitat and populations would continue to be managed by the Idaho and Montana Greater Sage-Grouse Resource Management Plan Amendment (2015 ROD/ARMPA). Goals and objectives for BLM-administered lands and federal mineral estate would not change. Allowable uses and restrictions pertaining to activities such as mineral leasing and development, recreation, lands and realty, and livestock grazing would also remain the same.

Management Alignment Alternative and Proposed Plan

These alternatives were derived through coordination with the State and cooperating agencies to better align with the Idaho Governor's conservation plan and to support conservation outcomes for Greater Sage-Grouse. The BLM continued to build upon the 2015 planning effort as envisioned in SO 3353 by collaborating with the states and stakeholders to improve compatibility between federal management plans and other plans and programs at the state level, while ensuring consistency with the BLM's multiple use mandate.

The Idaho Governor did not have time to engage his stakeholder group before finalizing the management alignment alternative in the Draft Environmental Impact Statement (DEIS) because of the aggressive BLM planning schedule. Therefore, after publication of the DEIS, and before the publication of the Final Environmental Impact Statement (FEIS), the Governor re-engaged his stakeholder group and reviewed the management direction in this alternative. Over several months, and with a diverse stakeholder group, the Governor requested changes to the management alignment alternative that were included in the Proposed Plan in the FEIS.

1.4.3 Environmentally Preferred Alternative

This land use planning effort builds off of the BLM's 2015 plan revisions and amendments for the conservation of the Greater Sage-Grouse and its habitat. The Idaho Approved RMP Amendment retains many of the management actions contained in the 2015 decisions, while adding some management flexibility and aligning the BLM's conservation plan with the conservation measures of the expert State agency. As reflected in the analysis in the FEIS, the limited management

[1] The BLM's DEIS and FEIS also incorporated by reference the range of alternatives evaluated by the EISs for the 2015 land use plan amendments and revisions addressing the conservation of Greater Sage-Grouse and its habitat.

flexibility offered by the alignment alternative and alignment with the State's approach results in effects that are well understood and disclosed in BLM's analysis of impacts on Greater Sage-Grouse and other resources in the planning area. As described in more detail below, the Idaho Approved RMP Amendment will enhance cooperation and coordination with the State while reducing inconsistencies between the BLM's land use plans and the State's approach to protecting and conserving Greater Sage-Grouse. Harmonizing these efforts will improve the BLM's and the State's ability to marshal resources to conserve, enhance, and restore Greater Sage-Grouse habitat in an efficient and coordinated manner. Accordingly, neither alternative is "environmentally preferable" to the other as that term is defined in Question 6A of CEQ's 40 most-asked questions regarding NEPA. Moreover, even if the No-Action Alternative were "environmentally preferable", neither FLPMA nor NEPA requires the BLM in this context to maximize the conservation of biological and other natural resources, and selection of the No Action Alternative would not achieve the BLM's Purpose and Need for Action to enhance cooperation and coordination with the State while reducing inconsistencies between the BLM's land use plans and the State's approach

1.5 MANAGEMENT CONSIDERATIONS

Furthering the Administration's goals of restoring trust with local communities and responsibly developing our natural resources while easing regulatory burdens, the Bureau of Land Management is issuing these RODs amending the land use plans for Greater Sage-Grouse habitat management on public lands in 7 Western states. The changes were developed during months of close cooperation with state governments in Wyoming, Nevada, California, Idaho, Oregon, Utah and Colorado to better align BLM plans for managing habitat with state plans for conserving the species.

These changes conform to the Department of the Interior's commitment to collaborate with our neighbors in conserving sagebrush habitats and sage-grouse populations. The planning effort began in 2017 when governors of most of the affected states asked the BLM to revisit existing plans for managing sage-grouse habitat and adapt them to better meet their states' individual needs. In response, the BLM proposed changes developed with consideration of input from governors and state wildlife agency professionals in the seven affected states, as well as other concerned organizations and individuals, largely gathered via the Western Governors Association's Sage-Grouse Task Force.

These decisions reflect the BLM's determination that greater flexibility was needed to ensure that habitat in each state is managed for the particular needs of its landscapes and communities. This Approved RMPA builds on the measures identified and incorporated into 2015 ARMPA to conserve, enhance, and restore Greater Sage-Grouse habitat by addressing threats to Greater Sage-Grouse and its habitat and providing for consistent management of Greater Sage-Grouse between the BLM and the State of Idaho. The 2015 ARMPA provided a comprehensive, coordinated, and effective conservation strategy for addressing the threats to Greater Sage-Grouse. This more focused Approved RMPA improves the management coordination between the BLM, and the State of Idaho for Greater Sage-Grouse. The actions taken on BLM managed public lands will now more clearly complement the State of Idaho's and the Idaho Department of Fish and Game's management strategy in order to conserve the species and its habitat.

Over 350 species of plants and wildlife rely on sagebrush steppe ecosystems and coexist with Greater Sage-Grouse and may be similarly affected by development or disturbance threats that pose a risk to Greater Sage-Grouse habitats; however, nothing in the approved plan lessens the BLM's authority or responsibility to provide for the needs of special status species, including BLM Manual 6840, *Special Status Species Management*.

This 2019 planning process builds on the 2015 planning process and the BLM identified special status species as an issue for further consideration and analysis. The approved plan will continue to ensure that the BLM complies with its special status species policy, including the commitment to "implement measures to conserve species and their habitats… and promote their conservation and reduce the likelihood and need for such species to be listed pursuant to the ESA." (BLM Manual 6840, *Special Status Species Management*). In accordance with the Manual, the BLM will continue to undertake planning decisions, actions and authorizations "to minimize or eliminate threats affecting the status of [Greater Sage-Grouse] or to improve the condition of [Greater Sage-Grouse] habitat" across the planning area.

Compared to the other alternatives, the ARMPA best balances the need to align with the State sage-grouse management plan and providing adequate protection for the Greater Sage-Grouse. The approved plan removes redundant management and allows slight increases in flexibility for development on public land, with a focus outside of sage-grouse habitat or in GHMA, while retaining necessary protections and the proactive restoration practices committed to in 2015.

1.5.1 Protest

The BLM's planning regulations at 43 CFR 1610.5-2 allow any person who participated in the planning process and has an interest that may be adversely affected by the BLM's planning decisions to protest proposed planning decisions within 30-days of when the notice of availability of the Proposed RMPA/Final EIS was published in the Federal Register (December 7, 2018). The Office of the BLM Director concluded that the BLM had followed all applicable laws, regulations, and policies and had considered all relevant resource information and public input in developing the Proposed RMPA/Final EIS. Each protesting party has been notified in writing of the Office of the BLM Director's findings and the disposition of their protests. The Director resolved the protests without making significant changes to the Proposed RMPA/Final EIS.

The Office of the Director's decisions on the protests are summarized in the Proposed RMPAs/Final EISs Protest Resolution Reports, which are available on the following BLM website: http://www.blm.gov/wo/st/en/prog/planning/planning_overview/protest_resolution/protestreports.html.

The Office of the BLM Director received 8 timely protest submissions. Seven of the protesting parties had standing; however, two submissions were dismissed as they did not contain any valid protest points or had standing, pursuant to 43 CFR 1610.5- 2. Valid protest issues addressed in the Director's Protest Resolution Report are as follows:

- Compliance with ESA
- Compliance with FLPMA
- Compliance with NEPA
- Compliance with other laws (e.g., 1872 Mining Law)

1.5.2 Governor's Consistency Review

The BLM's planning regulations require that RMPs be "consistent with officially approved or adopted resource-related plans, and the policies and procedures contained therein, of other Federal agencies, State and local governments, and Indian tribes, so long as the guidance and resource management plans also are consistent with the purposes, policies, and programs of Federal laws and regulations applicable to public lands" (43 CFR 1610.3-2(a)). The BLM is aware that there are specific State laws and local plans relevant to aspects of public land management that are separate and independent of Federal law. However, the BLM is bound by Federal law; as a consequence, there may be inconsistencies that cannot be reconciled. The Federal Land Policy and Management Act and its implementing regulations require that the BLM's RMPs be consistent with officially approved State and local plans only if those plans are consistent with the purposes, policies, and programs of Federal laws and regulations applicable to public lands. The 60-day Governor's consistency review period ended on February 7, 2019.

The BLM made the following modifications to the Proposed Plan in response to recommendations in the Governor's Consistency Review and included them in the Approved Plan:

- The BLM accepted all of the factual correction/editorial changes requested by the Idaho Governor.
- The BLM revised MD LG 17. The revised MD LG 17: "Allotments within PHMA with declining sage-grouse populations, defined by a soft or hard adaptive management trigger being engaged and**/<u>or</u>** with land health concerns will be prioritized for field checks."
- The BLM removed redundant 2015 plan exception criteria from Appendix B. The intention was to remove the 2015 exception criteria when adding the stakeholder group's exception criteria between DEIS and FEIS, but the deletion was overlooked when completing the Final EIS.
- The BLM moved the noise buffer section located in the 2018 FEIS to RDFs as it was in the 2015 ARMPA.
- The BLM will include the words "as appropriate" to the anti-perch device RDF to allow the use of current and/or best science when making perch deterrent decisions.

The BLM could not make the following changes recommended in the Governor's Consistency Review:

- The BLM did not incorporate a 0.6 mile PHMA electrical distribution line into the ARMPA. The State's recommendation that the BLM establish a 0.6-mile lek buffer for distribution lines in PHMA does not appear to specifically reflect any officially approved State plan, policy, or program. Moreover, because it was not within the range of alternatives considered during the planning process, it cannot be applied to PHMA in the ROD.The BLM did not remove the reference to 4180 regulations in MD LG 16 and rely on Rangeland Health Standards 2, 3, and 4 while considering sage-grouse during grazing

permit renewal because BLM is required to follow the 4180 regulations and assess all applicable rangeland health standards during permit renewal.

- The BLM will did not reword MD FIRE 34. The intent of this MD FIRE 34 is to help ensure that perennial grasses and forbs have adequate time to recover from the effects of fire before additional stresses are added. The existing vegetation referred to in this MD is existing desirable vegetation. If a cheatgrass dominated area burns, and Field Offices determine that late fall or early spring grazing post-fire will help inhibit cheatgrass recovery and facilitate rehabilitation and restoration plans, then grazing post-fire meets the intent of this management direction. Conditions vary widely on the ground post-fire and it is up to the field office staff in coordination with the State office and state and private stakeholders to determine how best to manage the burned area to ensure the recovery of desirable vegetation.

- The BLM did not remove MD FIRE 35. The State's recommendation does not appear to specifically reflect any officially approved State plan, policy, or program. Moreover, because this concern was not raised as an issue early in the planning process, it is outside the scope of the current analysis and range of alternatives. The BLM acknowledges that operators can be greatly impacted after a wildfire on both burned and unburned allotments. The Intent of MD FIRE 35 is to look for ways to improve survival, and reproduction of local sage-grouse populations post-fire through adjustments to BLM's multiple use management mandate. The BLM should consider any science-based management adjustments that are likely to improve the survival and reproduction of the local sage-grouse population post-fire.

1.6 MITIGATION MEASURES

The BLM has determined that FLPMA does not explicitly mandate or authorize the BLM to require public land users to implement compensatory mitigation as a condition of obtaining authorization for the use of BLM-administered lands (IM 2019-018, *Compensatory Mitigation*, December 6, 2018). Consistent with that determination, compensatory mitigation must be voluntary unless required by other applicable laws, but the BLM recognizes that state authorities may also require compensatory mitigation.

To align this planning effort with the BLM's compensatory mitigation policy, IM 2019-018, the amended plans clarify that the BLM will consider compensatory mitigation only as a component of compliance with a state mitigation plan, program, or authority; when required by a law other than FLPMA; or when offered voluntarily by a project proponent. In accordance with the State's goals for managing Greater Sage-Grouse, the plans modify the net conservation gain standard for compensatory mitigation to clarify that the BLM would pursue conservation benefits as a broader planning goal and objective. This means that the BLM would continue to require avoidance, minimization, and other onsite mitigation to adequately conserve Greater Sage-Grouse and its habitat, while remaining committed to implementing beneficial habitat management actions to reduce the threats of fire and invasive species. In fiscal year 2018, the BLM funded approximately $29 million in sage-grouse management actions resulting in approximately 500,000 acres of treated sage-grouse habitat and expects to invest another $17 million of habitat management projects in fiscal year 2019.

The BLM would continue to apply the mitigation hierarchy as described in the CEQ regulations at 40 CFR 1508.20; however, the BLM would focus on avoiding, minimizing, rectifying, and reducing impacts over time. Compensation, which involves replacing or providing substitute resources for the impacts (including through payments to fund such work), would be considered only when voluntarily offered by a proponent, required by a law other than FLPMA, or to meet a State recommendation or requirement. The BLM commits to cooperating with the State to analyze applicant-proposed, State recommended, or State-imposed compensatory mitigation to offset residual impacts.[2] The BLM remains committed to achieving the planning-level management goals and objectives identified in this ROD and the 2015 ARMPA by ensuring Greater Sage-Grouse habitat impacts are addressed through implementing mitigating actions consistent with the governing RMP.

BLM developed a Memorandum of Agreement (MOA) with the State of Idaho to enhance coordination between the State and BLM relating to the management and protection of Greater Sage-Grouse and its habitat on BLM-managed public lands. Until the State finalizes its Mitigation Framework (expected in late summer 2019), BLM and the State will use the framework in the MOA to consider compensatory mitigation options for third-party actions that could result in habitat loss and degradation.

When considering third-party actions that result in habitat loss and degradation, BLM will work with the applicant to apply avoidance and minimization mitigation options. If the proposal would have residual effects that cause habitat loss and degradation, the BLM will complete the following steps, in alignment with the State's mitigation strategy:

1. Notify the Idaho Office of Species Conservation (OSC) to determine if the State requires or recommends any additional mitigation – including compensatory mitigation – under State regulations, policies, or programs related to the conservation of Greater Sage-Grouse.
2. If the OSC determines that there are unacceptable residual impacts on Greater Sage-Grouse or its habitat and compensatory mitigation is required as a part of State policy or authorization, or if a proponent voluntarily offers mitigation, the BLM will incorporate that mitigation into the BLM's NEPA and decision-making process.
3. The BLM will recommend to the project proponent that it coordinate with the State of Idaho to ensure it complies with all applicable State requirements relating to its proposal.
4. The BLM will ensure mitigation outcomes are consistent with the State of Idaho's mitigation strategy and principles outlined in the ARMPA **Appendix F** including, but not limited to:
    a. achieves measurable outcomes for Greater Sage-Grouse habitat function that are at least equal to the lost or degraded values;
    b. provides benefits that are in place for at least the duration of the impacts;
    c. accounts for a level of risk that the mitigation action may fail or not persist for the full duration of the impact; and
    d. the project proponent avoids, minimizes, rectifies, or reduces harms on-site as BLM deems appropriate in order to avoid a finding that unnecessary and undue

[2] With respect to any State compensatory mitigation requirements, the BLM will defer to the appropriate State authority to quantify habitat offsets, durability, and other aspects used to determine the recommended compensatory mitigation action.

degradation will occur from the proposed use on federal lands as would be precluded by FLPMA Section 302(b).

1.7 PLAN MONITORING

Plan monitoring commitments were made in the 2015 Amendment and were retained in this amendment. Plan monitoring will continue as explained in the 2015 Amendments.

1.8 PUBLIC INVOLVEMENT

1.8.1 Public Scoping

The scoping period began with the publication of the Notice of Intent in the *Federal Register* on October 11, 2017. The notice was titled Notice of Intent to Amend Land Use Plans Regarding Greater Sage-Grouse Conservation and Prepare Associated Environmental Impact Statements or Environmental Assessments. During the scoping period, the BLM sought public comments on whether all, some, or none of the 2015 Greater Sage-Grouse plans should be amended, what issues should be considered, and whether the BLM should pursue a state-by-state amendment process or structure its planning differently, for example by completing a national programmatic process. Representatives of the BLM engaged with the Western Governors' Association Sage-Grouse Task Force in October of 2017 and January 2018 to discuss the progress of scoping. In addition, the DOI Deputy Secretary has emphasized that input from state governors would weigh heavily when considering what changes should be made and ensuring consistency with the BLM's multiple use mission. Public scoping meetings were held on Nov 2, 6, and 7 in Twin Falls, Idaho Falls and Marsing, respectively.

1.8.2 Public Comment

The Draft EIS was sent out for a 90-day public comment period, from May 4, 2018, to August 2, 2018. Public comment meetings were held on June 21, 26, and 28 in Marsing, Twin Falls, and Idaho Falls respectively. The BLM received approximately 31,138 comment form letters and 75 unique comment letters. Comments were grouped by topic and were summarized, and then the BLM responded to those comments. Comment responses can be found in the Final EIS, **Appendix 4**.

1.8.3 American Indian Tribal Consultation

Various federal laws require the BLM to consult with American Indian tribes during the planning/NEPA decision-making process. This section documents the specific consultation and coordination undertaken throughout the process of developing the Proposed RMPA/Final EIS.

The Idaho BLM sent out tribal consultation letters in December 2017, inviting the tribes listed in the table below to consult with the BLM on the upcoming Greater Sage-Grouse plan amendment process.

Tribes Invited to Consult	Tribes Consulted
Duck Valley Shoshone-Paiute Tribe	✓
Confederated Salish and Kootenai Tribes	—
Coeur d'Alene Tribe	—
Shoshone-Bannock Tribes	✓
Kootenai Tribe	—
Nez Perce Tribe	—

The Idaho BLM met with the Shoshone-Paiute Tribe on several occasions in late 2017 and early 2018 to keep them updated on the status of the plan amendment through the Wings and Roots Campfire consultation process. On March 29, 2018, the BLM met with the Shoshone Bannock Tribe's resource staff to invite them to consult and to update them on the status of the plan amendment. The Tribes comments regarding protecting Greater Sage-Grouse were considered during the planning process.

1.8.4 Cooperating Agencies

Early in the process, BLM Idaho engaged with the Idaho Governor's Office of Species Conservation, US Fish and Wildlife Service, Idaho Department of Fish and Game, Natural Resource Conservation Service, Blaine County, Cassia County and Power County as Cooperating Agencies.

1.9 Draft Resource Management Plan Amendment/Environmental Impact Statement

The Draft EIS was sent out for a 90-day public comment period from May 4, 2018 to August 2, 2018. BLM Idaho received approximately 31,138 form comment letters and 75 unique comment letters. Comments were grouped by topic and summarized and then BLM responded to those comments. Comment Responses can be found in FEIS Appendix 4.

1.10 Availability of the ARMPA

Copies of the ROD and the ARMPA may be obtained by viewing or downloading the document from the BLM website located at: https://go.usa.gov/xPc3a.

1.11 APPROVAL

The Idaho Greater Sage-Grouse Resource Management Plan Amendment is hereby approved by the following signee:

Peter J. Ditton Acting Idaho State Director

3/14/2019
Date

Chapter 2. Approved Plan Amendment

BLM Idaho has amended the 2015 Greater Sage-Grouse management direction from the following Idaho plans, as directed by Secretary's Order 3353; this is meant to bring BLM Greater Sage-Grouse management into alignment with the State of Idaho Plan. No plans in Montana will be amended by this action.

Bennett Hills/Timmerman Hills Management Framework Plan (BLM 1980)
Big Desert Management Framework Plan (BLM 1981)
Big Lost Management Framework Plan (BLM 1983)
Bruneau Management Framework Plan (BLM 1983)
Cascade RMP (BLM 1988)
Cassia RMP (BLM 1985)
Challis RMP (BLM 1999)
Craters of the Moon National Monument RMP (BLM 2006)
Jarbidge (2015)
Jarbidge RMP (BLM 1987)
Kuna Management Framework Plan (BLM 1983)
Lemhi RMP (BLM 1987)
Little Lost-Birch Creek Management Framework Plan (BLM 1981)
Magic Management Framework Plan (BLM 1975)
Medicine Lodge RMP (BLM 1985)
Monument RMP (BLM 1985)
Owyhee RMP (BLM 1999)
Pocatello RMP (BLM 2012)
Snake River Birds of Prey National Conservation Area RMP (BLM 2008)
Sun Valley Management Framework Plan (BLM 1981)
Twin Falls Management Framework Plan (BLM 1982)

2.1 Summary of Allocations

Retain the decisions in the 2015 Record of Decision (ROD)/Amended Resource Management Plan Amendment (ARMPA), unless they are specifically identified for change in this Amendment.

Table 2-1 displays the land use allocations within designated Greater Sage-Grouse habitat for the Approved Plan Amendment.

Table 2-1
Land Use Allocations within Designated Sage-grouse Habitat in the Approved Plan Amendment

Resource	PHMA	IHMA	GHMA
Land tenure	Retain	Retain	Retain
Wind and solar	Exclusion	Avoidance	Open
Rights-of-way	Avoidance	Avoidance	Open
Oil and gas and geothermal	Open with major stipulations	Open with major stipulations	Open with standard stipulations
Nonenergy leasables	Closed	Open	Open
Salable minerals	Closed with limited exceptions	Open	Open
Locatable minerals*	Open	Open	Open
Travel management	Limited	Limited	Limited
Livestock grazing	Open	Open	Open

*Areas are open for locatable mineral entry unless they have been withdrawn under a separate order.

2.2 SPECIAL STATUS SPECIES

OBJ SSS 2: In PHMA and IHMA, maintain large intact sagebrush steppe communities with vegetation characteristics consistent with their ecological potential such that Greater Sage-Grouse can select suitable seasonal habitats for breeding, nesting, rearing young, and wintering. Greater Sage-Grouse select suitable use areas in large intact sagebrush ecosystems. Not every site will provide for every Greater Sage-Grouse need, which is why they require large intact sagebrush ecosystems.

The desired conditions for Greater Sage-Grouse (see Table 2.2 in the 2015 Final EIS) are a list of indicators, characteristics, and values that describe Greater Sage-Grouse seasonal habitat use areas. The BLM used indicator values derived from a synthesis of local and regional Greater Sage-Grouse habitat research and data to describe the typical vegetation communities that Greater Sage-Grouse select. While the desired conditions are not attainable on every site or every acre in designated Greater Sage-Grouse habitat management areas, the values reflect a range of habitat conditions that generally lead to greater survival of individuals in a population. When permitting land use activities, the BLM shall consider the ecological site potential in designated habitat management areas to validate the habitat conditions achievable for a specific site.

The seasonal habitat descriptions in Table 2.2 in the 2015 Final EIS vary across the range of Greater Sage-Grouse, in a subregion, and between sites. They are not land health standards but are quantitative measures that help inform the special status species habitat land health standard for Greater Sage-Grouse. These measurable values reflect ecological potential and may be adjusted,

based on local factors influencing Greater Sage-Grouse habitat selection. Local data or recent science may indicate that Greater Sage-Grouse select for vegetation structure and composition in seasonal habitats not characterized by the values in the desired conditions table. In these cases, it may be appropriate to adjust the values. Desired conditions should be evaluated in the context of annual variability in ecological conditions and should not be used singly to determine habitat suitability for Greater Sage-Grouse. As appropriate, they may be used to demonstrate trends over time, during plan evaluations for effectiveness of Greater Sage-Grouse conservation, or when identifying limiting habitat characteristics for a given area.

The indicators, characteristics, values, and desired seasonal habitat conditions in the Greater Sage-Grouse plan desired conditions table are meant to inform the wildlife habitat component of the land health standards evaluation process (43 CFR 4180.2) but do not replace rangeland health assessments. Results from the land health standards evaluation should be used to support the BLM in land use authorization processes and during development of appropriate objectives for management actions, such as vegetation treatments.

The desired conditions tables are to be used as follows:

a. To assess habitat suitability, as defined by BLM policy and the Habitat Assessment Framework, for Greater Sage-Grouse at the appropriate scale
b. To describe desired conditions that provide habitat at multiple spatial scales, as defined by the best available science
c. To evaluate land use plan effectiveness for Greater Sage-Grouse conservation
d. To develop measurable project objectives for actions in BLM-designated Greater Sage-Grouse habitat management areas, as needed, when considered alongside land health standards, ecological potential, and local information

The following is an excerpt from Table 2.2 in the 2015 Final EIS.

NESTING/EARLY BROOD REARING (Seasonal Use Period May 1–June 30)			
Cover and food	Perennial grass (and forb) height (includes residual grasses)	Adequate nesting cover	Connelly et al. 2000;[8] Connelly et al. 2003;[9] Hagen et al. 2007;[11] Stiver et al. 2015;[13] Hausleitner 2005 Holloran et al. 2005 Gibson et al. 2016 Smith et al. 2017 Smith et al. 2018

2.3 GREATER SAGE-GROUSE MANAGEMENT AREAS

The boundaries of the habitat designations have been adjusted to correct administrative mapping errors that occurred when PHMA was designated in 2015. Habitat management area boundary changes also include removing some areas of non-habitat that were added to PHMA by the 2015 ROD/ARMPA as part of the SFA designations. Additionally, in the West Owyhee Conservation Area, the circle of 60,706 acres of PHMA (Brown's Creek Area) that is surrounded by IHMA will be re-designated as IHMA (See Map 1); 11,828 acres of non-Greater Sage-Grouse habitat managed as PHMA, in the Mountain Valleys Conservation Area, would be changed to non-habitat (Donkey Hills Area of Critical Conservation Concern [ACEC] and mapping errors). (See **Appendix A**.)

MD SSS 6: The management area map and biologically significant unit (BSU) baseline map will be reevaluated, in conjunction with plan evaluation processes (i.e., approximately every 5 years). This reevaluation can indicate the need to adjust conservation area boundaries, PHMA, IHMA, or GHMA, or the habitat or population baselines. These adjustments can occur on completion of the appropriate analysis and process (e.g., plan maintenance in coordination with the teams identified in MD SSS 44) to review the allocation decisions based on the map. Results from the wildfire and invasive species assessments, such as identified focal or emphasis areas, will also be used to help inform mapping adjustments during this evaluation.

MD SSS 9: This decision has been deleted.

2.4 REMOVING SAGEBRUSH FOCAL AREAS

MD SSS 10: This decision has been deleted.

MD SSS 15: The data from the lek counts and the key habitat map update will be reviewed annually to determine if any hard or soft adaptive management triggers have been met.

MD SSS 20: Population soft triggers are defined as one of the following:

a. A 10 percent decline in the current 3-year average of total maximum number of males counted, compared to the 2011 maximum male baseline and a finite rate of change (λ) below 1.0 within PHMA within a conservation area over the same 3-year period; or
b. A 10 percent decline in the current 3-year average of total maximum number of males counted, compared to the 2011 maximum male baseline and a finite rate of change (λ) below 1.0 within IHMA within a conservation area over the same 3-year period.

Significance for soft triggers is defined by the 80 percent confidence interval around the current 3-year finite rate of change. If the 80 percent confidence interval is less than and does not include 1.0, then the finite rate of change is considered significant. The finite rate of change and variance will be calculated following Garton et al. (2011).

MD SSS 24: Remove the automatic hard trigger adaptive management response when the habitat or maximum male population count (i.e., 3-year average) returns to or exceeds the 2011 baseline levels within the associated conservation area, in accordance with the adaptive management

strategy (**Appendix E**). In such a case, changes in management allocations resulting from a tripped trigger will revert to the original allocation (MD SSS 22).

MD SSS 27: If the 3 percent anthropogenic disturbance cap is exceeded on lands (regardless of land ownership) in Greater Sage-Grouse PHMA (or IHMA in Idaho) in any given BSU, no further discrete anthropogenic disturbances (subject to applicable laws, such as the Mining Law of 1872, as amended, regulations, and valid existing rights) will be permitted by BLM within Greater Sage-Grouse PHMA and IHMA in any given BSU. This would be in effect until the disturbance has been reduced to less than the cap, as measured according to **Appendix E** for the intermediate scale.

For Idaho, the BSU (**Figure 2-2**) is defined as the currently mapped nesting and wintering habitat in PHMA and IHMA in a conservation area, inclusive of all ownerships. Anthropogenic disturbance excludes habitat disturbance from wildfire and fuels management and includes the following developments (see **Appendix E** for further details):

- Oil and gas wells and development facilities
- Coal mines
- Wind towers
- Solar fields
- Geothermal development facilities
- Mining (active locatable, nonenergy leasable and salable developments)
- Roads
- Railroads
- Power lines
- Communication towers
- Other vertical structures
- Coal bed methane ponds
- Meteorological towers (e.g., wind energy testing)
- Nuclear energy facilities
- Airport facilities and infrastructure
- Military range facilities and infrastructure
- Hydroelectric plants
- Recreation areas facilities and infrastructure

This disturbance is measured by direct footprint or by the distance between the outermost lines on transmission lines (Leu et al. 2008).

MD SSS 29: Subject to valid existing rights, new anthropogenic disturbances in PHMA: Anthropogenic Disturbance Screening Criteria. In order to avoid surface-disturbing activities in PHMA, priority will be given to development of rights-of-way (ROWs), fluid minerals, and other mineral resources subject to applicable stipulations outside of PHMA. When authorizing development in PHMA, priority will be given to development in non-habitat areas first and then in the least suitable habitat for Greater Sage-Grouse. In addition to the PHMA and IHMA anthropogenic disturbance development criteria (MD SSS 30), the BLM will ensure an applicant has worked with the State of Idaho to submit a proposal that meets the following criteria:

a. The population trend for the Greater Sage-Grouse in the associated conservation area is stable or increasing over a 3-year period and the population levels are not currently engaging the adaptive management triggers (this applies strictly to new authorizations; renewals and amendments of existing authorizations will not be subject to this criteria when it can be shown that long-term impacts from those renewals or amendments will be substantially the same as the existing development).
b. The development with associated design features, avoidance, minimization, or mitigation actions will not result in a net loss of Greater Sage-Grouse key habitat or of the respective PHMA.
c. The project, its design features, avoidance and minimization actions, and associated impacts will not result in a net loss of Greater Sage-Grouse key habitat or habitat fragmentation or other impacts causing a decline in the population of the species in the relevant conservation area.
d. The development cannot be reasonably accomplished outside of the PHMA or can be either developed pursuant to a valid existing authorization or collocated within the footprint of existing infrastructure. Proposed actions will not increase the 2011 authorized footprint and associated impacts more than 50 percent, depending on industry practice.
e. Development will adhere to the RDFs described in **Appendix C**.
f. The project will not exceed the disturbance cap (MD SSS 27).
g. Large-scale anthropogenic disturbances in PHMA will be reviewed by the technical and policy teams, as described in MD SSS 44. (See the glossary for definition of large-scale anthropogenic disturbances.)

MD SSS 30: The applicant will work with the State of Idaho to submit a proposal that meets all of the following anthropogenic disturbance development criteria in the screening and assessment process for proposals in PHMA and IHMA. This is to discourage additional disturbance in PHMA and IHMA (as described in MD LR 2 and MD RE 1):

a. Through coordination with the State of Idaho (as described in MD CC 1), it is determined that the project cannot be achieved, technically or economically, outside of this management area
b. The project siting and/or design should best reduce cumulative impacts and/or impacts on Greater Sage-Grouse and other high value natural, cultural, or societal resources; this may include collocation in the footprint for existing infrastructure, to the extent practicable
c. The State of Idaho determines in coordination with BLM the project results in **no net loss** to Greater Sage-Grouse key habitat or, with mitigation actions, reduces habitat fragmentation or other threats in the conservation area;
d. Development will adhere to the RDFs described in **Appendix C**
e. The project will not exceed the disturbance cap (MD SSS 27)
f. Large-scale anthropogenic disturbances in PHMA and IHMA will be reviewed by the technical and policy teams, as described in MD SSS 44

MD SSS 32: In PHMA and IHMA, incorporate RDFs, as described in **Appendix C**, in developing the project or proposal implementation, reauthorizations or new authorizations, as conditions of approval into any post-lease activities and as BMPs for locatable minerals activities, to the extent allowable by law, unless at least one of the following conditions can be demonstrated and documented in the NEPA analysis associated with the specific project:

a. A specific RDF is not applicable to the site-specific conditions of the project or activity;

b. A proposed design feature or BMP is determined to provide equal or better protection for Greater Sage-Grouse or its habitat; or

c. Analysis concludes that following a specific RDF will provide no more protection to Greater Sage-Grouse or its habitat than not following it, for the project being proposed.

In GHMA, the RDFs are considered BMPs that should be considered and applied, unless the proponent can show that applying the BMP is technically or economically impracticable.

MD SSS 35: In undertaking BLM management actions in PHMA, IHMA and GHMA, and consistent with valid and existing rights and applicable law in authorizing third-party actions, the BLM will apply the lek buffer-distances in accordance with **Appendix B**. The buffers do not apply to vegetation treatments specifically designed to improve or protect Greater Sage-Grouse habitat; however, impacts on leks should be analyzed and those impacts should be minimized to the extent practicable.

New MD SSS 44: In collaboration with the Idaho Governor's Office of Species Conservation, Idaho Department of Fish and Game, US Fish and Wildlife Service, and potentially other state and federal agencies, the BLM will form two teams (a technical team and a policy team) through a memorandum of understanding. These teams will be responsible for reviewing proposed infrastructure developments, exceptions, variances, adaptive management triggers and responses, habitat management area adjustments, and mitigation, as described in detail in **Appendix K**.

2.5 VEGETATION

VEG OBJ 3: This decision has been deleted.

2.6 LIVESTOCK GRAZING

MD LG 15: Generally, the BLM will prioritize (1) the review of grazing permits/leases, in particular to determine if modification is necessary prior to renewal, and (2) the processing of grazing permits/leases based on land health conditions or concerns related to rangeland health standards. If similar issues are found in both PHMA and IHMA, then those in PHMA should be addressed first. In setting workload priorities, precedence will be given to existing permits/leases in these areas not meeting land health standards and that have declining Greater Sage-Grouse populations, defined by a soft or hard population adaptive management trigger being engaged. Greater Sage-Grouse populations that are stable or trending upward will be a lower priority for

permit renewal and the assessment process. The BLM may use other criteria for prioritization to respond to urgent natural resource concerns, such as fire, and legal obligations.

MD LG 16: Grazing in the PHMA and IHMA will be managed according to the process outlined in the text below, and the grazing permit renewal process will be managed according to 43 CFR 4100, Subpart 4180, and as outlined in the process below.

a. Incorporate the Greater Sage-Grouse desired conditions in Table 2.2 [of the 2015 Final EIS] and management considerations as desired conditions, and manage livestock grazing, recognizing that these conditions may not be achievable: (1) due to the existing ecological condition, ecological potential, or existing vegetation; or (2) due to causal events unrelated to existing livestock grazing; and 3) that they are not intended to be prescriptive at the allotment level.
b. Conduct habitat assessments using appropriate monitoring methods. Where appropriate, make a determination of factors causing any failure to achieve the desired conditions in Table 2.2 [of the 2015 Final EIS]. The assessment will be conducted at a resolution and scale sufficient to document the habitat condition and will include local, spatial, and interannual variability. Any determination relative to the habitat characteristics (Table 2.2 [of the 2015 Final EIS]) will be based on existing ecological condition, ecological potential, and existing vegetation information. This is to ensure the assessment recognizes whether these habitat characteristics are achievable.
c. The assessment will rely on published characteristics of Greater Sage-Grouse habitat and the ecological site descriptions, on Table 2.2 [of the 2015 Final EIS as amended], and where available and applicable, rangeland health determinations made in accordance with 43 CFR 4180.2(c).
d. After conducting the assessment in (b), above, if the current grazing system achieves applicable Idaho rangeland health standards, absent substantial and compelling information, no further grazing management changes are necessary to achieve desired conditions for Greater Sage-Grouse habitat.
e. If the process and conditions outlined in (b), above demonstrate that livestock grazing is limiting achievement of the desired conditions (Table 2.2 [of the 2015 Final EIS]), renewed permits will include measures, including but not limited to the actions outlined in **Appendix C** to achieve desired habitat conditions. These measures must be tailored to address the specific management issues.
f. Adaptive management changes related to existing grazing permits should be undertaken only where improper grazing is determined to be the causal factor in not meeting habitat characteristics, specific to site capability, based on monitoring, with appropriate spatial variability. See **Appendix C**.
g. Where management changes are needed and necessary pursuant to (f), above, implement management actions that are narrowly tailored to address the specific habitat objective applied at the allotment or activity plan level, including the actions outlined in **Appendix C**, Grazing Section of BMPs. (The Governor's plan is attached as **Appendix 1** for references to this section.)

MD LG 17: Allotments within PHMA with declining Greater Sage-Grouse populations, defined by a soft or hard adaptive management trigger being engaged and/or with land health concerns, will be prioritized for field checks.

2.7 Wild Horses and Burros

MD WHB 3: Prioritize gathers and population growth suppression techniques in herd management areas in Greater Sage-Grouse habitat, unless removals are necessary in other areas to address higher priority environmental issues, including herd health impacts. Place higher priority on herd areas not allocated as herd management areas and occupied by wild horses and burros in PHMA.

MD WHB 4: In PHMA, assess and adjust appropriate management levels (AMLs) through the NEPA process within herd management areas when wild horses or burros are identified as a significant causal factor in not meeting land health standards, even if current AML is not being exceeded.

MD WHB 5: In PHMA, monitor the effects of wild horse and burro use in relation to Greater Sage-Grouse seasonal habitat objectives to help determine future management actions.

MD WHB 6: Develop or amend herd management area plans to incorporate Greater Sage-Grouse habitat objectives and management considerations for all herd management areas in Greater Sage-Grouse habitat, with emphasis placed on PHMA.

MD WHB 2: Complete rangeland health assessments for herd management areas containing Greater Sage-Grouse habitat using an interdisciplinary team of range, wildlife, and riparian specialists. The priority for conducting assessments is herd management areas with known land health issues and where local populations of Greater Sage-Grouse are in decline according to the adaptive management trigger standards. When similar issues are found in multiple herd management areas, then the priority should be: 1) herd management areas containing PHMA; 2) herd management areas containing IHMA; 3) herd management areas containing GHMA; 4) herd management areas containing Greater Sage-Grouse habitat outside of PHMA, IHMA, and GHMA mapped habitat; 5) herd management areas without Greater Sage-Grouse habitat.

2.8 Mineral Resources

OBJ MR 2: Where a proposed fluid mineral development project on an existing lease can adversely affect Greater Sage-Grouse populations or habitat in PHMA, IHMA, and GHMA, the BLM will work with the lessees, operators, or other project proponents to avoid and minimize impacts to the extent compatible with lessees' rights to drill and produce fluid mineral resources. The BLM will work with the lessee, operator, or project proponent in developing applications for permit to drill or geothermal drilling permit for the lease. This would be to apply the mitigation hierarchy to impacts on Greater Sage-Grouse or its habitat and will ensure that the best information about the Greater Sage-Grouse and its habitat informs and helps to guide development of such federal leases.

MD MR 1*:* Areas in PHMA and IHMA will be open to mineral leasing and development and geophysical exploration, subject to no surface occupancy with a limited exception (MD MR 3).

GHMA will be open to mineral leasing and development and geophysical exploration, subject to Controlled Surface Used (CSU), which includes standard stipulations and BMPs as identified in Appendix C (Required Design Features).

MD MR 2: In Idaho, parcels nominated for lease in PHMA, IHMA, or GHMA will be evaluated prior to lease offering to determine if development is feasible.

MD MR 3: PHMA and IHMA: No waivers or modifications to a fluid mineral lease NSO stipulation will be granted. The BLM Authorized Officer may grant an exception to a fluid mineral lease NSO stipulation only where the proposed action: (i) would not have direct, indirect, or cumulative effects on Greater Sage-Grouse or its habitat, or (ii) is proposed to be undertaken as an alternative to a similar action occurring on a nearby parcel or the State of Idaho recommends the project goes forward, based on its determination that the action would not result in a net loss to Greater Sage-Grouse habitat.

Exceptions based on the goal of achieving no net loss may only be considered: (a) in PHMA of mixed ownership where federal minerals underlie less than 50 percent of the total surface, or (b) in areas of the public lands where the proposed exception is an alternative to an action occurring on a nearby parcel subject to a valid federal fluid mineral lease existing as of the date of this Proposed Plan Amendment. Exceptions based on the no net loss goal must also include measures, such as enforceable institutional controls and buffers, sufficient to allow the BLM to conclude that such benefits will endure for the duration of the proposed action's impacts.

Any exceptions to this lease stipulation may be approved by the BLM Authorized Officer, only with the concurrence of the BLM State Director and in coordination with the technical and policy team. Approved exceptions will be made publicly available.

MD MR 8: Issue written orders of the authorized officer (43 CFR 3161.2) requiring reasonable protective measures consistent with the lease terms where necessary to avoid or minimize impacts on Greater Sage-Grouse populations or habitat.

MD MR 10: This decision has been deleted.

MD MR 11: PHMA—All PHMA will be closed to new mineral materials development but continued use of existing pits will be allowed. New free use permits and the expansion of existing pits may be considered only if the following criteria are met:

a. The disturbance cap is not exceeded in a BSU;
b. The activity is subject to the provisions set forth in the mitigation framework (**Appendix F**);
c. All applicable RDFs are applied; and
d. The activity is permissible under the Idaho exception and development criteria (MD SSS 29 and MD SSS 30).

IHMA—All IHMA will be open to mineral materials development, consistent with the Idaho Anthropogenic Disturbance Criteria (MD SSS 30) and subject to RDFs and buffers.

GHMA—All GHMA will be open to mineral materials development, subject to BMPs as described in **Appendix C**.

MD MR 15: PHMA are closed to leasing. IHMA and GHMA—Habitat management areas in known phosphate leasing areas will remain open to leasing, subject to standard stipulations. IHMA outside of known phosphate leasing areas are open to prospecting and subsequent leasing, provided the anthropogenic disturbance development criteria (MD SSS 30) and the anthropogenic disturbance cap (MD SSS 27) can be met.

RDFs and buffers will be applied to prospecting permits.

GHMA—Lands outside known phosphate leasing areas are available for prospecting and subsequent leasing and initial mine development subject to standard stipulations and BMPs, as described in **Appendix C**.

2.9 Renewable Energy

MD RE 1: PHMA—Designate and manage as exclusion areas for utility scale (20 megawatts) wind and solar testing and development and nuclear and hydropower energy development. IHMA—Designate and manage as avoidance areas for wind and solar testing and development, and nuclear and hydropower development. GHMA (Idaho)—Designate and manage as open for wind and solar testing and nuclear and hydropower development.

2.10 Lands and Realty

MD LR 2: PHMA—Designate and manage as ROW avoidance areas, consistent with MD SSS 29 and subject to RDFs and buffers (**Appendices B** and **C**). IHMA—Designate and manage as ROW avoidance areas, consistent with MD SSS 30 and subject to RDFs and buffers. GHMA—Designate and manage as open, with proposals subject to BMPs, as described in **Appendix C**.

MD LR 14: Lands classified as PHMA, IHMA, and GHMA for Greater Sage-Grouse will be retained in federal management, unless: (1) the agency can demonstrate that disposal of the lands, including land exchanges, will provide **no net loss** to the Greater Sage-Grouse, or (2) the agency can demonstrate that the disposal, including land exchanges, of the lands will have no direct or indirect adverse impact on conservation of the Greater Sage-Grouse.

Land tenure adjustments will be subject to the following disposal, exchange, and acquisition criteria, which include retaining lands with Greater Sage-Grouse habitat. This will reduce the likelihood of habitat conversion to agriculture, urbanization, or other uses that would remove sagebrush habitat and potentially affect sensitive plants.

a. Retain lands in PHMA, IHMA, and GHMA. However, on a case-by-case basis, consider whether disposal of those lands would increase the extent or provide for connectivity of PHMA, IHMA, or GHMA.
b. Recognizing that the goal of the Department of the Interior is to keep lands in federal ownership, the BLM will evaluate potential land exchanges containing historically low-

quality Greater Sage-Grouse habitat that may be too costly to restore in exchange for lands of higher quality habitat, lands that connect seasonal Greater Sage-Grouse habitats, or lands providing for threatened and endangered species. These potential exchanges should increase the extent or continuity of or provide for improved connectivity of PHMA. Higher priority will be given to exchanges for those intact areas of sagebrush that will contribute to the expansion of sagebrush areas in PHMA currently in public ownership. Lower priority will be given to other lands that will enhance the IHMA and GHMA, such as areas with fragmented or less intact sagebrush.

c. Lands for acquisition increase the extent of or provide for connectivity of PHMA.

2.11 RECREATION

MD REC 2: In PHMA and IHMA, do not construct new recreation facilities (campgrounds, parking lots, trailheads, and staging areas) larger than 0.25 acres unless subject to appropriate buffers and RDFs and appropriate mitigation. Locate and design facilities to avoid or minimize impacts on GRSG habitat. New trails in PHMA and IHMA should be designed to avoid or minimize impacts on GRSG habitat. New non-motorized trails would not be subject to buffers but may be subject to timing restrictions to avoid impacts on GRSG during the lekking/nesting season. Motorized trails would also be subject to buffers and seasonal timing restrictions.

2.12 MITIGATION

In all designated Greater Sage-Grouse habitat, in undertaking BLM management actions, and consistent with valid existing rights and applicable law, in authorizing third-party actions that result in habitat loss and degradation, the BLM will achieve the planning-level Greater Sage-Grouse management goals and objectives through implementation of mitigation and management actions. Under this Proposed Plan Amendment, management would be consistent with the Greater Sage-Grouse goals and objectives, and in conformance with BLM Manual 6840, Special Status Species Management. In accordance with BLM Manual 6840, the BLM will undertake planning decisions, actions and authorizations "to minimize or eliminate threats affecting the status of [Greater Sage-Grouse] or to improve the condition of [Greater Sage-Grouse] habitat" across the planning area.

The BLM has determined that compensatory mitigation must be voluntary unless required by other applicable law or made in recognition of State authorities that may require compensatory mitigation (IM 2018-093, Compensatory Mitigation, July 24, 2018). Therefore, consistent with valid existing rights and applicable law, when authorizing third-party actions that result in habitat loss and degradation, the BLM will consider voluntary compensatory mitigation actions only as a component of compliance with a State mitigation plan, program, or authority, or when offered voluntarily by a project proponent.

Project-specific analysis will be necessary to determine how a compensatory mitigation proposal addresses impacts from a proposed action. The BLM will cooperate with the State to determine appropriate project design and alignment with State policies and requirements, including those regarding compensatory mitigation. When the BLM is considering compensatory mitigation as a component of the project proponent's submission or based on a recommendation from the State, the BLM's NEPA analysis would evaluate the need to avoid or minimize impacts of the proposed project and achieve the goals and objectives of this RMPA. The BLM will defer to the appropriate

State authority to quantify habitat offsets, durability, and other aspects used to determine the recommended compensatory mitigation action since the states have the lead on managing Greater Sage-Grouse within their states.

The BLM will not deny a proposed authorization in Greater Sage-Grouse habitat solely on the grounds that the proponent has not proposed or agreed to undertake voluntary compensatory mitigation unless it is required by the state. In cases where waivers, exceptions, or modification may be granted for projects with a residual impact, voluntary compensatory mitigation consistent with the State's management goals can be one mechanism by which a proponent achieves the RMPA goals, objectives, and waiver, exception, or modification criteria. When a proponent volunteers compensatory mitigation as their chosen approach to address residual impacts, the BLM can incorporate those actions into the rationale used to grant a waiver, exception, or modification. The final decision to grant a waiver, exception, or modification will be based, in part, on criteria consistent with the State's Greater Sage-Grouse management plans and policies.

In 2015, Governor Otter issued Executive Order 2015-04 directing all executive agencies to implement the Idaho Sage-grouse Management Plan to the extent consistent with state law. The application of the foundational elements of the management plan is consistent with the USFWS Conservation Objectives Team Report and apply across all land ownerships in Idaho. This plan included compensatory mitigation for large-scale anthropogenic development within a set of project screening criteria, based on the three-tiered management approach if new, significant, and unavoidable impacts are demonstrated to be associated with the project. In the Governor's plan, if unavoidable impacts are demonstrated to be associated with the project, a compensatory mitigation plan would be based on the guiding principles of Idaho's Mitigation Framework, 2011.

The State of Idaho is working to adopt compensatory mitigation guidelines (Mitigation Framework) that would be legally binding for state and federal lands, to achieve a no net loss mitigation goal and objective in Greater Sage-Grouse habitat management areas in Idaho. The State Mitigation Framework is scheduled to be finalized in late summer 2019. The BLM will continue to work with project proponents to develop impact avoidance and minimization project design features and will defer to the compensatory mitigation requirements in the state mitigation guidelines through a memorandum of agreement (MOA) with the State of Idaho and DOI.

The BLM recognizes that Greater Sage-Grouse is a State-managed species, and, in accordance with 43 CFR 24.3(a), that State authority regarding fish and resident wildlife guides how the BLM cooperates with the State in the absence of specific, overriding federal law. Further, the BLM recognizes that state governments have established fish and wildlife agencies that are charged with the responsibility and mandate to implement state statutes for effective, appropriate, and efficient conservation and management of fish and resident wildlife species. Accordingly, the BLM is coordinating with the State to develop a memorandum of agreement (MOA) to guide the application of the mitigation hierarchy and compensatory mitigation actions for future project authorizations in Greater Sage-Grouse habitat on BLM-administered lands.

The MOA describes the State's policies, authorities, and programs for Greater Sage-Grouse conservation and the process regarding how the BLM will incorporate avoidance, minimization, and other recommendations from the State necessary to improve the condition of Greater Sage-Grouse habitat consistent with RMPA goals and objectives, in one or more of the NEPA analysis

alternatives. The MOA will be implemented to provide an improvement to Greater Sage-Grouse habitat at a State level (as opposed to a Western Association of Fish and Wildlife Agencies Management Zone or a Field Office), in collaboration with applicable partners (e.g., federal, tribal, and state agencies). Generally, and as described in the MOA, when the BLM receives applications for projects in Greater Sage-Grouse habitat, the BLM will ensure project design is aligned with State requirements and will ensure the proponent coordinates with the State to develop any additional mitigation—including compensatory mitigation—that the State may recommend in order to comply with State policies and programs for the conservation of Greater Sage-Grouse.

When considering third-party actions that result in habitat loss and degradation, BLM will work with the applicant to apply avoidance and minimization mitigation options. If the proposal would have residual effects that cause habitat loss and degradation, the BLM will complete the following steps:

1. Notify the Idaho Office of Species Conservation (OSC) to determine if the State requires or recommends any additional mitigation – including compensatory mitigation – under State regulations, policies, or programs related to the conservation of Greater Sage-Grouse.
2. If the OSC determines that there are unacceptable residual impacts on Greater Sage-Grouse or its habitat and compensatory mitigation is required as a part of State policy or authorization, or if a proponent voluntarily offers mitigation, the BLM will incorporate that mitigation into the BLM's NEPA and decision-making process.
3. The BLM will recommend to the project proponent that it coordinate with the State of Idaho to ensure it complies with all applicable State requirements relating to its proposal.
4. The BLM will ensure mitigation outcomes are consistent with the State of Idaho's mitigation strategy and principles outlined in **Appendix F** including, but not limited to:
    a. achieves measurable outcomes for Greater Sage-Grouse habitat function that are at least equal to the lost or degraded values
    b. provides benefits that are in place for at least the duration of the impacts
    c. accounts for a level of risk that the mitigation action may fail or not persist for the full duration of the impact.

MD MT 3: In PHMA, IHMA, and GHMA, in undertaking BLM management actions, and consistent with valid existing right and applicable law, in authorizing third-party actions that result in habitat loss and degradation (**Appendix E**, **Table E-1**), the BLM will work towards achieving the planning-level Greater Sage-Grouse management goals and objectives through implementation of mitigation and management actions. Under this Proposed Plan Amendment, the BLM Greater Sage-Grouse management would be consistent with the Greater Sage-Grouse goals and objectives, and in conformance with BLM Manual 6840, *Special Status Species Management*, undertake planning decisions, actions and authorizations "to minimize or eliminate threats affecting the status of [Greater Sage-Grouse] or to improve the condition of [Greater Sage-Grouse] habitat" across the planning area. Further, the BLM recognizes that the state of Idaho's state sage-grouse management goals and policies include mitigation that provides no net loss to Greater Sage-Grouse, including accounting for any uncertainty associated with the effectiveness of such mitigation. This will be achieved by ensuring Greater Sage-Grouse habitat impacts are addressed by implementing mitigating actions in coordination with the State of Idaho and the Proposed Plan Amendment.

2.13 MODIFICATION OF APPENDICES

The following appendices from the 2015 Final EIS are changed in this amendment:

Appendix A (update mapping to match decisions in this Proposed Plan Amendment)—Display the following changes:

- Updated to display only Idaho
- Removed SFA
- Updated PHMA and IHMA boundaries to reflect the change of the Brown's Creek area from PHMA to IHMA
- Updated PHMA, IHMA, and GHMA boundaries to reflect corrections to administrative errors
- Updated BSU boundaries to reflect the change of the Brown's Creek area from PHMA BSU to IHMA BSU

Appendix B (Modification to buffer distances in IHMA and GHMA)

Appendix C (Clarification and some modification of RDFs)

Appendix E (Removal/additions to match decisions in this Approved Plan Amendment)

Appendix F (Modification to match decisions in this Approved Plan Amendment)

Appendix K (Added to help explain the two-team approach)

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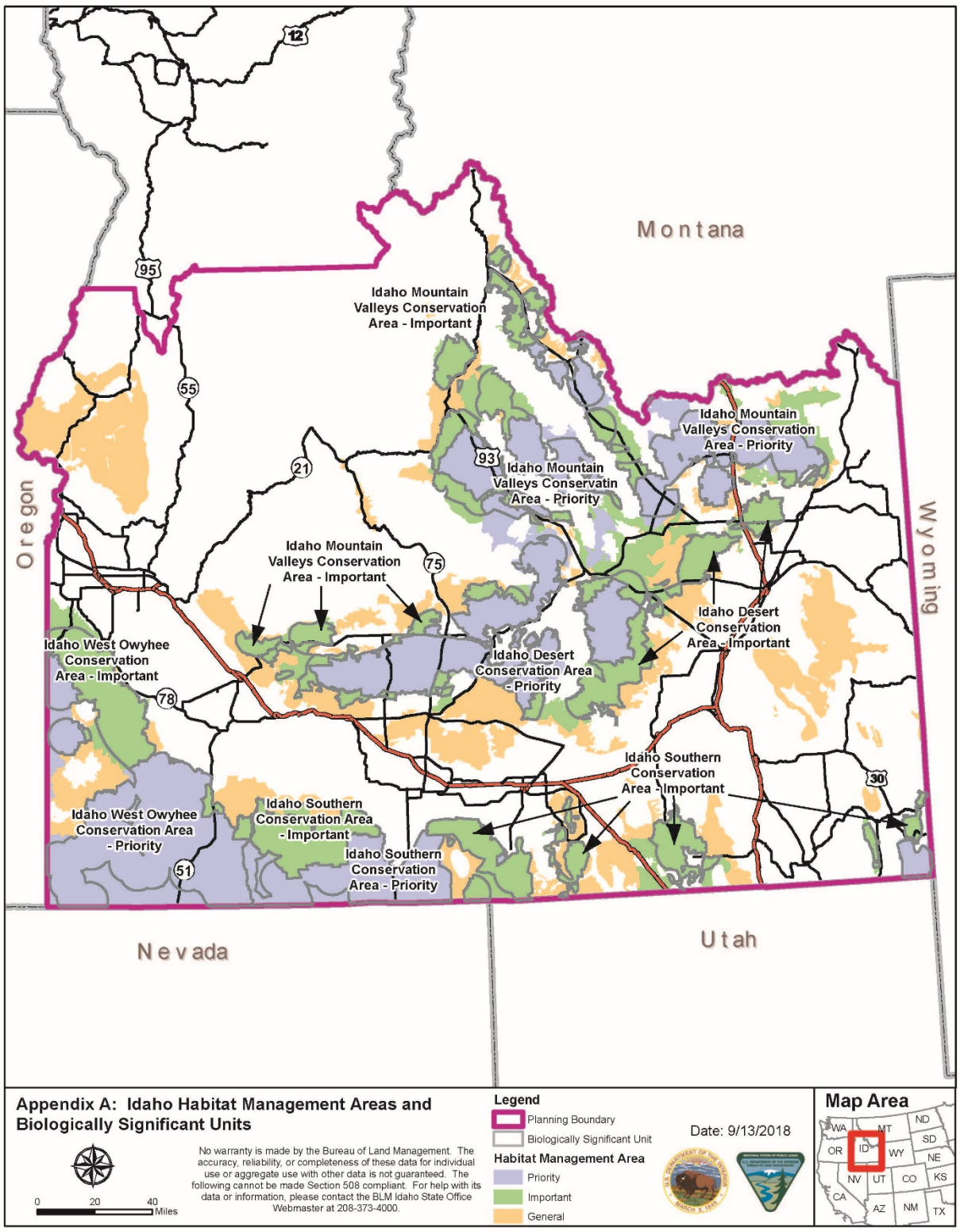
Appendix A
Approved RMP Amendment Maps

Map 1
Habitat Management Areas and Biologically Significant Units as Modified by the Proposed Plan



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Appendix B
Buffers

Appendix B. Buffers

APPLYING LEK BUFFER-DISTANCES WHEN APPROVING ACTIONS

Buffer Distances and Evaluation of Impact on Leks

Evaluate impact on leks from actions requiring NEPA analysis. In addition to any other relevant information determined to be appropriate (e.g., state wildlife agency plans), the BLM will apply the lek buffer-distances described below, unless justifiable departures are determined to be appropriate.

PHMA—The BLM will apply the lek buffer-distances specified as the lower end of the interpreted range in the report (*Distance Estimates for Greater Sage-Grouse—A Review* (Open File Report 2014-1239), unless justifiable departures are determined to be appropriate (see below). The lower end of the interpreted range of the lek buffer-distances is as follows:

- Linear features (roads) within 3.1 miles of leks
- Infrastructure related to energy development within 3.1 miles of leks
- Tall structures (e.g., communication or transmission towers and transmission lines) within 2 miles of leks
- Low structures (e.g., fences and rangeland structures) within 1.2 miles of leks
- Surface disturbance (continuing human activities that alter or remove the natural vegetation) within 3.1 miles of leks
  –

IHMA—The BLM will apply the lek buffer-distances as follows, unless justifiable departures are determined to be appropriate (see below):

- Linear features (e.g., roads) within 0.8 miles of leks
- Infrastructure related to energy development (e.g., oil, gas, wind, and solar) within 2 miles of leks
- Tall structures (e.g., electrical, communication, and meteorological)
  - Transmission lines/towers within 1.2 miles of leks, with a 1.2- to 2-mile buffer, subject to the exemption criteria; applicable to this variable and select variables in GHMA below
  - Distribution lines/poles within 0.6 miles of leks
  - Communication and meteorological towers within 2 miles of leks
- Low structures (e.g., fences and rangeland structures) within 0.6 miles of leks
- Surface disturbance (continuing human activities that alter or remove the natural vegetation) within 2 miles of leks
  —

GHMA—The BLM will apply the lek buffer-distances as follows, subject to the following exception criteria:

- Linear features (e.g., roads) within 0.25 miles of leks
- Infrastructure related to energy development (e.g., oil, gas, wind, and solar) within 0.6 miles of leks; 2-mile feasibility/practicality conditions
- Tall structures (e.g., electrical, communication, and meteorological) within 0.6 miles of leks
- Low structures (e.g., fences and rangeland structures) within 0.12 miles of leks
- Surface disturbance (continuing human activities that alter or remove the natural vegetation) within 2 miles of leks

Buffer Exception Criteria for IHMA and GHMA—It is impracticable, technically or economically, to locate the project outside of the buffer area and impacts are avoided through project siting and design to the extent reasonable or Impacts are minor or nonexistent and impacts are avoided through project siting and design to the extent reasonable; the buffers do not apply to vegetation treatments specifically designed to improve or protect Greater Sage-Grouse habitat

Justifiable Departures—Justifiable departures to decrease or increase from these distances, based on local data, best available science, landscape features, and other existing protections (e.g., land use allocations and state regulations) may be appropriate for determining activity impacts. The USGS report recognized "that because of variation in populations, habitats, development patterns, social context, and other factors, for a particular disturbance type, there is no single distance that is an appropriate buffer for all populations and habitats across the sage-grouse range." The USGS report also states that "various protection measures have been developed and implemented…[which have] the ability (alone or in concert with others) to protect important habitats, sustain populations, and support multiple-use demands for public lands." All variations in lek buffer-distances will require appropriate analysis and disclosure as part of activity authorization. In determining lek locations, the BLM will use the most recent active or occupied lek data available from the state wildlife agency.

For Actions in PHMA

- The BLM will apply the lek buffer-distances identified above as required conservation measures to fully address the impacts on leks, as identified in the NEPA analysis. Impacts should be avoided by locating the action outside the applicable lek buffer-distances identified above.
- The BLM may approve actions in PHMA that are within the applicable lek buffer-distance identified above, only if, with input from the state fish and wildlife agency, it determines, based on best available science, landscape features, and other existing protections, that a buffer-distance other than that identified above offers the same or greater level of protection to Greater Sage-Grouse and its habitat, including conservation of seasonal habitat outside of the analyzed buffer area.

- Range improvements that do not affect Greater Sage-Grouse, or range improvements that provide a conservation benefit to Greater Sage-Grouse, such as fences for protecting important seasonal habitats, meet the lek buffer requirement.

The BLM will explain its justification for determining if the approved buffer-distances meet these conditions in its project decision.

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Appendix C
Required Design Features

Appendix C. Required Design Features

Required design features (RDFs) are a list of best management practices that are intended to avoid and minimize impacts on Greater Sage-Grouse or its habitat. When the RDFs are applicable to a given project in PHMA and IHMA, they are required, unless an alternate action is implemented that will provide equal or greater protection. The RDFs are considered best management practices that should be considered and applied in GHMA, unless the proponent can show that applying the BMP is technically or economically impracticable. Because of site-specific circumstances, some RDFs may not apply to some projects (e.g., a resource is not present on a given site) or may require slight variations (e.g., a larger or smaller protective area). RDFs are continuously improving as new science and technology become available; therefore, the are subject to change. All variations in RDFs would require that at least one of the following be demonstrated in the NEPA analysis associated with the project/activity:

- A specific RDF is documented to not be applicable to the site-specific conditions of the project/activity, such as due to site limitations or engineering considerations. Economic considerations, such as increased costs, do not necessarily require that an RDF be varied or rendered inapplicable
- An alternative RDF, a state-implemented conservation measure, or plan-level protection is determined to provide equal or better protection for Greater Sage-Grouse or its habitat
- A specific RDF will provide no additional protection to Greater Sage-Grouse or its habitat

The following RDFs are included for consideration and use based on a review of current science and effects analysis (circa 2014; Table B-1). These may be reviewed during project evaluation and updated through plan maintenance as new information and updated scientific findings become available. The table is organized by program area, grouping the RDFs most relevant to that program. In some cases, the RDFs may not all be appropriate, based on local conditions, and would be assessed in the appropriate site-specific NEPA analysis; these all should be considered and, where they are determined to be beneficial to achieving Greater Sage-Grouse habitat desired conditions, they should be included as part of the site-specific project. In other cases, additional project design criteria or best management practices could be incorporated into project implementation to address site-specific concerns not fully addressed by the RDFs described here.

GENERAL REQUIRED DESIGN FEATURES (APPLICABLE TO ALL PROJECTS)

Seasonal Restrictions

- Solicit and consider expertise and ideas from local landowners, working groups, and other federal, state, county, and private organizations during development of projects
- No repeated or sustained behavioral disturbance from large scale infrastructure or facilities (e.g., visual, noise over 10 dbA at lek above ambient, etc.) to lekking birds from 6:00 pm to 9:00 am within 2 miles (3.2 km) of leks during the lekking season.
- Temporary disturbances including those that do not result in habitat loss (e.g., motorized recreational events) at least 0.25 miles from leks during the lekking season."

- Avoid mechanized anthropogenic disturbance, in nesting habitat during the nesting season and in wintering habitat during the winter season when implementing infrastructure construction or maintenance, during geophysical exploration activities, and during organized motorized recreational events.
  - Routine road blading, where no water turnouts or culverts are cleaned, repaired, or replaced and no road upgrades occur, is not included in this restriction.
  - Emergency actions to protect life or property are excluded from these restrictions.
  - Fuels and vegetation treatments specifically designed to improve or protect Greater Sage-Grouse habitat are not subject to this restriction. Restoring and improving Greater Sage-Grouse habitat is a high priority of this plan and the activity's effects will be analyzed for that Greater Sage-Grouse population.

General Infrastructure Development Activities

- Minimize cross-country vehicle travel during all types of activities in Greater Sage-Grouse habitat
- Power-wash all vehicles and equipment involved in off-road activities, including firefighting vehicles, construction equipment, and seeding equipment, before allowing them to enter the area, to minimize the introduction of undesirable or invasive plant species
- Seed aboveground disturbance areas with perennial vegetation, as per vegetation management
- Where practicable, place infrastructure in already disturbed locations where the habitat has not been fully restored
- Cluster disturbances, operations, such as fracturing stimulation and liquids gathering, and facilities as close as possible
- Collocate linear facilities within 0.6 miles of existing linear facilities
- Micro-site linear facilities to reduce impacts on Greater Sage-Grouse habitats
- Locate staging areas outside PHMA to the extent possible
- Consider collocating power lines, flowlines, and pipelines under or immediately adjacent to a road or other pipelines first, before considering collocating with other ROWs
- Restrict the construction of tall facilities and fences to the minimum number and amount needed
- Ensure that construction and development activities conform to seasonal restrictions
- Control the spread and effects of nonnative plant species, for example by washing vehicles and equipment (Gelbard and Belnap 2003; Bergquist et al. 2007; Evangelista et al. 2011)
- Design and locate fences to reduce the risk of Greater Sage-Grouse collisions
- As new research is completed, coordinate new specific limitations with the IDFG and partners
- Clean up refuse (Bui et al. 2010)
- Eliminate or minimize corvid subsidies, as practicable

- The BLM and Forest Service would evaluate the potential for limiting new noise sources on a case-by-case basis.

Roads

- Utilize existing roads or realignments of existing routes to the extent possible
- Design roads to an appropriate standard no higher than necessary to accommodate their intended purpose
- Do not issue ROWs or SUAs to counties on newly constructed energy or mineral development roads, unless for a temporary use consistent with all other terms and conditions included in this document
- Establish speed limits on BLM and Forest Service system roads to reduce vehicle/wildlife collisions or design roads to be driven at slower speeds
- Coordinate road construction and use among ROW or SUA holders
- Construct road crossings at right angles to ephemeral drainages and stream crossings
- Use dust abatement on roads and pads as necessary
- Close and reclaim duplicate roads by restoring original landform and establishing desired vegetation
- Locate roads to avoid priority areas and habitats, as described in the Wildfire and Invasive Species Assessments, to the extent practicable

Reclamation Activities

- Include objectives for ensuring habitat restoration to meet Greater Sage-Grouse habitat needs in reclamation practices/sites (Pyke 2011)
- Address post-reclamation management in the reclamation plan such that goals and objectives are to protect and improve Greater Sage-Grouse habitat needs
- Maximize the area of interim reclamation on long-term access roads and well pads, including reshaping, topsoiling, and revegetating cut-and-fill slopes
- Restore disturbed areas at final reclamation to the pre-disturbance landforms and desired plant community
- Irrigate interim reclamation if necessary for establishing seedlings more quickly
- Utilize mulching techniques to expedite reclamation and to protect soils

Specific Wildfire Suppression (applicable only to certain project types)

- Compile district-level information into statewide Greater Sage-Grouse tool boxes that contain maps, listing of resource advisors, contact information, local guidance, and other relevant information for each district, which will be aggregated into a statewide document
- Provide localized maps to dispatch offices and extended attack incident commanders for use in prioritizing wildfire suppression resources and designing suppression tactics; the Fire Planning and Fuels Management Division (FA-600) hosts a webpage containing up-to-date maps, instruction memoranda, conservation measures, BMPs, and spatial data specific to fire operations and fuels management/Greater Sage-Grouse interactions; Internet websites: http://web.blm.gov/internal/fire/fpfm/sg/index.html and

http://www.blm.gov/wo/st/en/prog/
more/fish_wildlife_and/sage-grouse conservation.html

- Assign a resource advisor with Greater Sage-Grouse expertise or one who has access to Greater Sage-Grouse expertise to all extended attack fires in or near Greater Sage-Grouse habitat areas
- Before the fire season, train Greater Sage-Grouse resource advisors on wildfire suppression organization, objectives, tactics, and procedures to develop a cadre of qualified individuals
- Involve state wildlife agency expertise in fire operations through
  - Instructing resource advisors during preseason trainings
  - Qualification as resource advisors
  - Coordination with resource advisors during fires
  - Contributing to incident planning with such information as habitat features or other key data useful in fire decision-making

At the onset of an emerging wildland fire, the agency administrators and fire management officers will an engage a local resource advisor to assess Greater Sage-Grouse habitat that may be affected by the fire or suppression activities. If complexity of the wildland fire warrants the activation of an incident management team, locally refined information regarding important Greater Sage-Grouse habitat will be relayed in brief and continually throughout the incident.

- On critical fire weather days, pre-position additional fire suppression resources to optimize a quick and efficient response in Greater Sage-Grouse habitat areas
- As appropriate, use existing fuel breaks, such as roads or discrete changes in fuel type, as control lines in order to minimize fire spread
- During periods of multiple fires, ensure line officers are involved in setting priorities
- To the extent possible, locate wildfire suppression facilities—base camps, spike camps, drop points, staging areas, and heli-bases—in areas where physical disturbance to Greater Sage-Grouse habitat can be minimized; these include disturbed areas, grasslands, near roads/trails, or in other areas where there is disturbance or minimal sagebrush cover
- Minimize burnout operations in key Greater Sage-Grouse habitat areas by constructing direct firelines whenever safe and practical to do so
- Use retardant, mechanized equipment, and other available resources to minimize burned acreage during the initial attack
- As safety allows, conduct mop-up where the black adjoins unburned islands, dog legs, or other habitat features to minimize sagebrush loss
- Adequately document fire operation activities in Greater Sage-Grouse habitat for potential follow-up coordination activities

Fuels Management

Unless otherwise specified as part of the resource management plan, consider the full array of fuels management treatment types—prescribed fire, mechanical, chemical, and biological—when implementing the following RDFs:

- Where applicable, design fuels treatment objectives to protect sagebrush ecosystems, modify fire behavior, restore native plants, and create landscape patterns that most benefit Greater Sage-Grouse habitat
- Train fuels treatment personnel on Greater Sage-Grouse biology, habitat requirements, and identification of areas utilized locally
- Use burning prescriptions that minimize undesirable effects on vegetation or soils (e.g., minimize mortality of desirable perennial plant species and reduce risk of annual grass invasion)
- Ensure proposed sagebrush treatments are planned with full interdisciplinary input, pursuant to NEPA and in coordination with state fish and wildlife agencies, and that treatment acreage is conservative in the context of surrounding Greater Sage-Grouse seasonal habitats and landscape
- Where appropriate, ensure that treatments are configured in a manner that promotes use by Greater Sage-Grouse
- Where applicable, incorporate roads and natural fuel breaks into fuel break design
- Design vegetation treatments in areas of high fire frequency that facilitate firefighter safety, reduce the potential acres burned, and reduce the fire risk to Greater Sage-Grouse habitat; additionally, develop maps for Greater Sage-Grouse habitat that display fuels treatments that can be used to assist in fire suppression
- As funding and logistics permit, restore annual grasslands to a species composition characterized by perennial grasses, forbs, and shrubs or one of that referenced in land use planning documentation
- Emphasize the use of native plant species, especially those from a warmer area of the species' current range, recognizing that nonnative species may be necessary, depending on the availability of native seed and prevailing site conditions
- Remove standing and encroaching trees within at least 110 yards of occupied Greater Sage-Grouse leks and other habitats (e.g., nesting, wintering, and brood rearing) to reduce the availability of perch sites for avian predators, as resources permit
- Protect wildland areas from wildfire originating on private lands, infrastructure corridors, and recreation areas
- Maximize the benefit and minimize adverse impacts on Greater Sage-Grouse when designing fuel breaks; look for ways to minimize costs associated with maintenance and construction of fuel breaks
  - Reduce the risk of vehicle- or human-caused wildfires and the spread of invasive species by installing fuel breaks or planting perennial vegetation (e.g., green-strips) paralleling road rights-of-way
  - Use existing agreements with local, county, and state road departments to improve and maintain existing fuel breaks during routine road maintenance, such as blading, mowing, disking, grading, and spraying roadside vegetation
  - Form partnerships with linear right-of-way holders to maintain fuel breaks, which reduce fuel continuity and serve to protect at-risk landscapes
  - Use NEPA documentation and authorities, where possible, when maintaining road right-of-ways; in many instances, existing authorizations for roads or linear rights-of-

way contain provisions for maintenance activities that could be implemented and incorporated into a vegetation and habitat protection strategy without requiring additional NEPA analysis; document this with a Determination of NEPA Adequacy (DNA)

  - Enter into agreements with road departments that may help fund the construction and maintenance of fuel breaks next to roads, as funding permits
  - Strategically place and maintain pretreated strips/areas (e.g., mowing and herbicide application) to aid in controlling wildfire, should wildfire occur near PHMA or priority restoration areas (such as where investments in restoration have already been made)
  - Design treatments to provide a break in fuel continuity in large, at-risk expanses of continuous sagebrush; use local knowledge of fire occurrence, spread patterns, and habitat values at risk to determine the proper placement and size of the fuel break
- Spatially depict the locations of existing and planned fuel breaks in a landscape fuel break map and label each vegetation polygon for reference; BLM offices will make these maps available to suppression resources for use in fire operations

Vegetation Treatment

- Use available plant species, based on their adaptation to the site when developing seed mixes (Lambert 2005; VegSpec)
- Consider using the warmer component of a species' current range when selecting native species for restoration, when available (Kramer and Havens 2009)
- Reduce annual grass densities and competition through herbicide use, targeted grazing, tillage, and prescribed fire (Pyke 2011)
- Reduce density and competition of introduced perennial grasses, using appropriate techniques (Pellant and Lysne 2005)
- Use effective techniques to introduce desired species to the site, based on site-specific conditions (e.g., drill seeding, broadcast seeding followed by a seed coverage technique, such as harrowing, chaining, or incorporation by livestock trampling, and transplanting container or bare-root seedlings)
- Assess existing on-site vegetation to ascertain if enough desirable perennial vegetation exists to consider techniques to increase on-site seed production to facilitate an increase in density of desired species
- Use site preparation techniques that retain desirable vegetation and biological soil crusts, to the extent practicable
- Use "mother plant" techniques or plant satellite populations of desirable plants to serve as seed sources
- Use post-treatment control of annual grass and other invasive species
- Give higher priority to vegetation rehabilitation or manipulation projects that include
  - Sites where environmental variables contribute to improved chances for project success (Meinke et al. 2009)

  - Areas where seasonal habitat is limiting Greater Sage-Grouse distribution or abundance, such as wintering areas, wet meadows and riparian areas, nesting areas, and leks
  - Reestablish sagebrush cover in otherwise suitable Greater Sage-Grouse with consideration to local needs and conditions using the general priorities in the following order:
    1. Recently burned native areas
    2. Native grassland with suitable forb component
    3. Nonnative grassland with suitable forb component
    4. Recently converted annual grass areas
    5. Native grassland
    6. Nonnative grassland
- Where desirable perennial bunchgrasses or forbs are deficient in existing sagebrush stands, use appropriate mechanical, aerial, or other techniques to reestablish them (e.g., a Lawson aerator with seeding, harrow or chain with seeding, drill seeding, hand planting plugs, aerial seeding, or other appropriate techniques)
- Use cooperative efforts that may improve Greater Sage-Grouse habitat quality over multiple ownerships
- Design projects that may provide connectivity between suitable habitats or expand existing good quality habitats
- Design projects that address conifer encroachment into important Greater Sage-Grouse habitats; in general the priority for treatment is Phase 1 (≤10% conifer cover), Phase 2 (10-30%), and Phase 3 (>30%)
- Replace stands of annual grasses in otherwise good quality habitats with desirable perennial species
- When treating vegetation in areas inhabited or potentially inhabited by slickspot peppergrass (*Lepidium papilliferum*), follow the conservation measures in the applicable conservation agreement between the Idaho BLM and the US Fish and Wildlife Service (most recent version dated September 2014)

Lands and Realty

- Where technically and financially feasible, bury distribution power lines and communication lines within existing disturbance
- Use free-standing structures, where possible, to limit the use of guy wires; where guy wires are necessary and appropriate, use bird collision diverters, if doing so would not cause a human safety risk
- Place new utility developments, such as power lines and pipelines, and transportation routes in existing utility or transportation corridors
- Fit transmission towers with anti-perch devices as appropriate (Lammers and Collopy 2007)

Fluid Mineral Leasing

- Use directional drilling or multiple well pads to reduce surface disturbance
- Apply a phased development approach, with concurrent reclamation
- Place liquid gathering facilities outside PHMA; have no tanks at well locations within PHMA to minimize truck traffic and perching and nesting sites for ravens and raptors
- Use remote monitoring techniques for production facilities and develop a plan to reduce the frequency of vehicle use (Lyon and Anderson 2003)
- Site or minimize linear ROWs or SUAs to reduce disturbance to sagebrush habitats
- Design or site permanent structures that create movement (e.g., pump jack) to minimize impacts on Greater Sage-Grouse
- Equip tanks and other aboveground facilities with structures or devices that discourage nesting of raptors and corvids
- Restrict pit and impoundment construction to reduce or eliminate threats from West Nile virus (Doherty 2007)
- Remove or reinject produced water to reduce habitat for mosquitoes that vector West Nile virus, as practicable; if surface disposal of produced water continues, use the following steps for reservoir design to limit favorable mosquito habitat:
  - Overbuild size of ponds for muddy and unvegetated shorelines
  - Build steep shorelines to decrease vegetation and increase wave actions
  - Avoid flooding terrestrial vegetation in flat terrain or low-lying areas
  - Construct dams or impoundments that restrict downslope seepage or overflow
  - Line the channel where discharge water flows into the pond with crushed rock
  - Construct spillway with steep sides and line it with crushed rock
  - Treat surface waters with larvicides to reduce mosquito production
- Require noise shields when drilling during the lek, nesting, brood-rearing, or wintering season
- Work with the BLM and Forest Service to limit project-related noise where it would be expected to reduce functionality of habitats in PHMA and IHMA
- Limit noise sources that would negatively affect populations in PHMA and IHMA and continue to support the establishment of ambient baseline noise levels for occupied leks in PHMA
- As additional research and information emerges, evaluate specific new limitations appropriate to the type of projects being considered and implement appropriate limitations where necessary to minimize the potential for noise impacts on Greater Sage-Grouse core population behavioral cycles
- Locate new compressor stations outside PHMA and design them to reduce noise that may be directed toward PHMA
- Locate camps outside of priority Greater Sage-Grouse habitats
- Consider using oak or other material mats for drilling activities to reduce vegetation disturbance and for roads between closely spaced wells to reduce soil compaction and

maintain soil structure to increase likelihood of vegetation reestablishment following drilling

- Use only closed-loop systems for drilling operations and no reserve pits
- Cover with fine mesh netting, or use other effective techniques, all drilling and production pits and tanks regardless of size to reduce Greater Sage-Grouse mortality
- Establish trip restrictions (Lyon and Anderson 2003) or minimization through use of telemetry and remote well control (e.g., supervisory control and data acquisition)
- Restrict vehicle traffic to only authorized users on newly constructed routes by using signs and gates

Grazing

- Use temporary range infrastructure, such as troughs, fences, and supplements, where feasible and appropriate, to meet management objectives
- During lekking periods, as determined locally (approximately March 15–May 1 in lower elevations and March 25–May 15 in higher elevations), avoid livestock trailing to the extent possible within 1 kilometer of occupied leks between 6:00 p.m. and 9:00 a.m. to avoid disturbing lekking and roosting Greater Sage-Grouse over-nighting, watering, and sheep bedding locations on public lands to the extent possible by at least 1 kilometer from occupied leks during the lekking season, to reduce disturbance from sheep, human activity, and guard animals
- When trailing livestock during the lekking or nesting season, use roads or existing trails, to the extent possible
- Work with permittees in locating sheep over-nighting, watering, and sheep bedding locations to minimize impacts on Greater Sage-Grouse seasonal habitats

Adaptive Management Measures for Livestock Grazing (Appendix J from Idaho Executive Order 2015-04)

In the development, administration, and implementation of grazing management programs, flexible grazing management practices over relatively large landscapes can be used, singly or in combination, to help successfully achieve desired conditions through BMPs such as the following:

- Employ grazing management systems that ensure adequate nesting and early brood-rearing habitat in the breeding landscape
- When use-pattern mapping or monitoring demonstrates an opportunity to adjust livestock distribution to benefit occupied Greater Sage-Grouse breeding habitat, include herding, salting, and water-source management (e.g., turning troughs/pipelines on/off and extending pipelines/moving troughs) in grazing programs
- If available and feasible, use exotic perennial grass seedings or annual grasslands to meet desired conditions or outcomes across the landscape of use of occupied Greater Sage-Grouse habitat
- Modify authorized seasons of use in grazing permits to provide greater flexibility in managing livestock for the benefit of Greater Sage-Grouse

- Where appropriate, maintain herbaceous vegetation at the end of the growing/grazing season to contribute to nesting and brood-rearing habitat quality during the coming nesting season
- Ensure that permittees are informed of management and movement requirements related to avoiding recent burns, habitat rehabilitation, or other restoration sites
- Manage livestock grazing of riparian areas, meadows, springs, and seeps in a manner that promotes vegetation structure and composition appropriate to the site. In some cases enclosure fencing may be an option; however, recognize that the availability and quality of desired herbaceous species may be improved by periodic grazing use of the enclosure
- Implement management actions (grazing decisions, allotment management plan/conservation plan development, or other agreements) to modify grazing management to meet seasonal Greater Sage-Grouse desired conditions
- Employ proper grazing management by providing flexibility in scheduling the intensity, timing, duration, and frequency of livestock grazing use over time that best promotes management objectives
- During drought periods, prioritize evaluating effects of drought in the PHMA relative to grouse needs for food and cover; ensure that post-drought management allows for vegetation recovery, based on ecological potential, that meets Greater Sage-Grouse needs in priority Greater Sage-Grouse habitat areas
- During periods of higher than average precipitation, prioritize effects of the increase in available forage and fuels
- When using salt or mineral supplements, place them in existing disturbed sites, areas with reduced sagebrush cover, such as seedings or cheatgrass sites, to reduce impacts on Greater Sage-Grouse breeding habitat; where feasible use salts or mineral supplements to improve management of livestock for the benefit of Greater Sage-Grouse habitat
- In general, avoid constructing new fences in high and moderate risk areas (Stevens 2013); if this is not feasible, ensure that high and moderate-risk segments are marked with collision diverter devices or as latest science indicates; where feasible, place new, taller structures, such as corrals, loading facilities, water-storage tanks, and windmills, at least as far as the corresponding buffer set back from occupied leks for the corresponding HMA to reduce opportunities for avian predators; carefully consider, based on local conditions, such as topography, the placement of new fences or rangeland infrastructure near other important seasonal habitats, such a winter-use areas and movement corridors, to reduce potential impacts
- Design new spring developments in Greater Sage-Grouse habitat to maintain or enhance the free-flowing characteristics of springs and wet meadows; analyze developed springs, seeps, and associated pipelines to determine if modifications are necessary to maintain the continuity of the predevelopment riparian area in Greater Sage-Grouse habitat; make modifications where necessary, considering impacts on other water users when such considerations are neutral or beneficial to Greater Sage-Grouse
- Ensure that new and existing livestock troughs and open water storage tanks are fitted with ramps to facilitate the use of and escape from troughs by Greater Sage-Grouse and other wildlife; do not use floating boards or similar objects, as these are too unstable and are ineffective

- Identify and, when feasible, establish strategically located forage reserves, focusing on areas unsuitable for Greater Sage-Grouse habitat restoration or lower priority habitat restoration areas
- Consider initiating vegetation management projects where sagebrush canopy cover exceeds desired conditions to promote a perennial grass and forb understory

West Nile Virus

- Minimize the construction of new ponds or reservoirs except as needed to meet important resource management or restoration objectives
- Maintain healthy wetlands at spring sources to help control mosquitoes and their larvae by providing habitat for natural predators, such as birds, dragonflies, and amphibians; one option is protecting the wetland at the spring source with a fence
- For most spring developments or wells, mosquito breeding habitat usually is not an issue. Flowing cold (less than 50° Fahrenheit) water and steep sides of the stock tanks are not conducive for egg laying or larvae production. If flows are low, the water is warm, or moss production is an issue in the tank, mosquito breeding habitat could exist in the tank.
- Maintain stock tanks and ponds/reservoirs such that they are not conducive to mosquito reproduction (little or no silt, algae, or vegetation accumulation); consider the following options, as appropriate:
  - Construct water return features and maintain functioning float valves to prohibit water from being spilled on the ground surrounding the trough or tank and return water to the original water source, to the extent practicable
  - Drain and clean tanks at the end of the season to prevent them from filling with silt or debris, causing warmer water and heavy vegetation growth conducive to mosquito reproduction
  - Drain tanks after the period of use is completed, particularly in warmer weather, to reduce potential habitat by eliminating stagnant standing water
  - Maintain a properly functioning overflow to prevent water from flowing onto the pad and surrounding area, to eliminate or minimize pooling of water that is attractive to breeding mosquitoes
  - Clean or deepen overflow ponds to maintain colder temperatures to reduce mosquito habitat
  - Install and maintain float valves on stock tank fill pipes to minimize overflow
  - Harden stock tank pads to reduce tracks that can hold water where mosquitoes may breed
  - Build ponds with steep shorelines to reduce shallow water (over 24 inches) and aquatic vegetation around the perimeter of impoundments to deter colonizing by mosquitos (Knight et al. 2003, cited in NTT report, p. 61)
  - Consider removing and controlling trees and shrubs to reduce shade and wind barriers on pit and reservoir shorelines if not needed for wildlife, fish, or recreation
- Impoundments that remain accessible to livestock and wildlife can cause tracking and nutrient enrichment from manure that can create favorable mosquito breeding habitat.

Where this is a concern, it may be desirable to fence the reservoir and pipe the water to a tank.

- Construct dams or impoundments that minimize down-slope seepage or overflow, which results in down-grade accumulation of vegetated shallow water areas that support breeding mosquitoes
- On ponds and reservoirs with enough depth and volume, consider introducing native fish species, which feed on mosquito larvae
- Line the overflow of a dam's spillway with crushed rock and construct the spillway with steep sides to preclude the accumulation of shallow water and vegetation to reduce mosquito habitat
- Where an existing reservoir has filled with silt, consider cleaning to reduce shallow water habitat conducive to mosquito reproduction
- Develop and maintain non-pond/reservoir watering facilities, such as troughs and bottomless tanks, to provide livestock water
- During confirmed West Nile virus outbreaks in Greater Sage-Grouse habitat, consider larvicide applications.

Travel Management

- Designate or design routes to direct use away from priority areas identified in wildfire and invasive species assessments and still provide for high-quality and sustainable travel routes and administrative access, legislatively mandated requirements, and commercial needs.

Recreation

- Direct use away from seasonally important Greater Sage-Grouse habitats, as practicable
- Eliminate or minimize external food sources for corvids
- Avoid developing new campgrounds or recreation facilities in nesting habitat, as practicable

Appendix E

Anthropogenic Disturbance and Adaptive Management

Appendix E. Anthropogenic Disturbance and Adaptive Management

Delete a portion of Appendix E, Starting on Page E-10 at the bullet titled Derivation of the Disturbance Formula through page E-26.

Delete the portion of Appendix E that deals with the project-level disturbance cap and the density cap.

Add the following to the existing Appendix E

The BLM has determined that FLPMA does not explicitly mandate or authorize it to require public land users to implement compensatory mitigation to offset effects beyond the user's level of impact as a condition of obtaining authorization for the use of the public lands. Consistent with that determination and with BLM Instruction Memorandum 2019-018, *Compensatory Mitigation*. In 2015, Governor Otter issued Executive Order 2015-04 directing all executive agencies to implement the Idaho Sage-Grouse Management Plan to the extent consistent with State law. The application of the foundational elements of Idaho's Sage-Grouse Management Plan are consistent with the USFWS COT (Conservation Objectives Team) report and apply across all land ownerships in Idaho. This plan included compensatory mitigation for large-scale anthropogenic development within a set of project screening criteria, based on the three-tiered management approach if new, significant, and unavoidable impacts are demonstrated to be associated with the project.

In the Governor's plan, if unavoidable impacts are demonstrated to be associated with the project, a compensatory mitigation plan would be based on the guiding principles of Idaho's Mitigation Framework, 2011. The State of Idaho is working to adopt compensatory Mitigation Framework that would be legally binding on both State and federal lands to achieve a no net loss mitigation standard in Greater Sage-Grouse habitat management areas within Idaho. The State Mitigation Framework is scheduled to be finalized in Summer 2019. The BLM will defer to the compensatory mitigation requirements in the State mitigation guidelines through an MOA (signed March 2019) with the State of Idaho and the US Department of the Interior.

E.6 Part VI—No Net Loss Criterion for Anthropogenic Disturbance

This part of the appendix provides guidelines for the implementation of the no net loss criterion for proposed anthropogenic disturbance (e.g., MD SSS 30.c.). The following steps identify the screening process by which the BLM will review proposed activities in PHMA, IHMA, and GHMA. These steps commence after the BLM has determined that the proposal for authorization

of use is adequate and consistent with other provisions of the LUPA, including the BSU-level disturbance cap (MD SSS 27).

Step 1—Determine if Impacts on Greater Sage-Grouse habitat can be avoided, in accordance with LUPA standards and guidelines

Step 2—Quantify residual impacts of the project

Project impacts occur at multiple scales. Impact analysis will account for both the direct impacts (e.g., habitat loss) and indirect impacts (e.g., Greater Sage-Grouse avoidance of the project area) to the ecological values, functions, and services of Greater Sage-Grouse habitat. Indirect impacts extend beyond the footprint of disturbance and may extend beyond ownership boundaries. The quantification of these impacts must be based on the best available science (e.g., Manier 2017), provide an objective and transparent assessment of these impacts, measure impacts over multiple scales, and address the cumulative impacts and interactions among stressors.

Methods should take into account differences in habitat quality; thus, they should assign lower impact scores in lower quality habitat and higher impact scores in higher quality habitat.

Step 3—Determine minimization measures

If Greater Sage-Grouse impacts cannot be avoided by relocating or modifying the project, in accordance with RMPA standards and guidelines, then minimize impacts, including use of applicable required design features or best management practices.

Step 4— Determine if there are residual effects after applying avoidance and minimization measures

If there are residual effects, the BLM will coordinate with the state to determine whether any modification to the proposal or additional mitigation—including compensatory mitigation—may be necessary to comply with state policies and programs for the conservation of Greater Sage-Grouse.

Appendix F
Mitigation Framework

Appendix F. Mitigation Framework

Delete Part 1 of Appendix F (Page F-1 through F-5).

Add the Following as Part 1 of Appendix F:

The BLM has determined that FLPMA does not explicitly mandate or authorize it to require public land users to implement compensatory mitigation to offset effects beyond the user's level of impact as a condition of obtaining authorization for the use of the public lands. Consistent with that determination and with BLM Instruction Memorandum 2019-018, *Compensatory Mitigation*. In 2015, Governor Otter issued Executive Order 2015-04 directing all executive agencies to implement the Idaho Sage-Grouse Management Plan to the extent consistent with State law. The application of the foundational elements of Idaho's Sage-Grouse Management Plan are consistent with the USFWS COT (Conservation Objectives Team) report and apply across all land ownerships in Idaho. This plan included compensatory mitigation for large-scale anthropogenic development within a set of project screening criteria, based on the three-tiered management approach if new, significant, and unavoidable impacts are demonstrated to be associated with the project.

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When considering third-party actions that result in habitat loss and degradation, BLM will work with the applicant to apply avoidance and minimization mitigation options. If the proposal would have residual effects that cause habitat loss and degradation, the BLM will complete the following steps, in alignment with the Governor of Idaho's Executive Order 2015-04:

1. Notify the Idaho Office of Species Conservation (OSC) to determine if the State requires or recommends any additional mitigation – including compensatory mitigation – under State regulations, policies, or programs related to the conservation of Greater Sage-Grouse.
2. If the OSC determines that there are unacceptable residual impacts on Greater Sage-Grouse or its habitat and compensatory mitigation is required as a part of State policy or

authorization, or if a proponent voluntarily offers mitigation, the BLM will incorporate that mitigation into the BLM's NEPA and decision-making process.

3. The BLM will recommend to the project proponent that it coordinate with the State of Idaho to ensure it complies with all applicable State requirements relating to it's proposal.
4. The BLM will ensure mitigation outcomes are consistent with the State of Idaho's mitigation strategy and principles outlined in **Appendix F** including, but not limited to:
    a. achieves measurable outcomes for Greater Sage-Grouse habitat function that are at least equal to the lost or degraded values
    b. provides benefits that are in place for at least the duration of the impacts
    c. accounts for a level of risk that the mitigation action may fail or not persist for the full duration of the impact.

Appendix K
Technical and Policy Teams

Appendix K. Technical and Policy Teams

The following will become **Appendix K** in the Proposed RMPA/Final EIS:

Idaho proposed using a two-team approach to ensure collaborative implementation efforts regarding Greater Sage-Grouse conservation in Idaho.

The following state and federal agencies are expected to collaborate to implement Greater Sage-Grouse conservation in Idaho: BLM, US Fish and Wildlife Service (USFWS), Forest Service, Idaho Governor's Office of Species Conservation (OSC), Idaho Department of Fish and Game (IDFG), Idaho State Department of Agriculture (ISDA), Idaho Department of Lands (IDL), United States Geologic Survey (USGS), and Natural Resource Conservation Service (NRCS).

Idaho technical team: Technical experts from the above-mentioned state and federal agencies comprise this team. This team's primary responsibilities are to review and analyze data and proposals related to infrastructure development and conservation actions in Greater Sage-Grouse habitat and to make recommendations to the policy team. Specifically, their responsibilities are as follows:

- Compile and analyze adaptive management population and habitat trigger data and recommend conservation actions based on the results of their analysis
- Perform causal factor analysis when a soft or hard trigger is tripped; population data are collected under the direction of IDFG, and habitat data on public lands are collected under the direction of the BLM
- Review proposals for large-scale development projects, such as new transmission lines, highways, power plants, and wind or solar farms, to determine if they meet the necessary anthropogenic screening and development criteria (MD SSS 29 and MD SSS 30); submit their findings and recommendations to the policy team for review and decisions
- Review applications for exceptions of the NSO policy in PHMA and IHMA and make recommendations to the policy team (MD SSS 29, MD SSS 30, and MD MR 3)
- Review applications for exceptions to allow a new free use mineral material pit in PHMA
- Review proposals to modify Greater Sage-Grouse habitat designations and make recommendations to the policy team
- Review proposals to modify the adaptive management trigger system described in the ARMPA and make recommendations to the policy team
- Review BSU scale disturbance cap annual report from the BLM National Operations Center
- Perform other duties as the policy team may direct

Idaho policy team: Decision-makers from the above-mentioned state and federal agencies comprise this team. This team has the following responsibilities:

- Review and discuss recommendations from the technical team

- Strive for consensus among the team and provide recommendations to the primary decision-maker (BLM State Director for actions occurring on federal public land)
- Authorize changes to the adaptive management program
- Review and refine the vision for Greater Sage-Grouse management in Idaho
- Make changes to the duties of the technical team by consensus of the policy team

This collaborative two-team approach provides the foundation for flexibility in Greater Sage-Grouse habitat management in Idaho. The interagency group technical experts in the technical team will review and summarize technical data and provide summaries and recommendations to the interagency group of decision-makers on the policy team. The policy team needs to include the primary decision-maker for whatever proposals come to that team. The remainder of the team will act as policy advisors to aid the primary decision-maker in considering the recommendations of the technical team. This process will ensure that both the technical- and the policy-related issues for each agency are considered as part of Greater Sage-Grouse management in Idaho. Meetings/coordination of the policy team will be led by the primary decision-maker of the proposal being discussed. Only proposals for large-scale anthropogenic disturbances within PHMA and IHMA need to be submitted.

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